



General Assembly

Amendment

February Session, 2010

LCO No. 2985

SB0049202985SR0

Offered by:

SEN. MCKINNEY, 28th Dist.

SEN. FASANO, 34th Dist.

SEN. RORABACK, 30th Dist.

To: Senate Bill No. 492

File No.

Cal. No.

"AN ACT CONCERNING DEFICIT MITIGATION FOR THE BIENNIUM ENDING JUNE 30, 2011."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (*Effective from passage*) The amounts appropriated to the
4 following agencies in section 1 of public act 09-3 of the June special
5 session, as amended by section 1 of public act 09-7 of the September
6 special session, are reduced by the following amounts for the fiscal
7 year ending June 30, 2010:

T1 GENERAL FUND

T2 2009- 2010

T3

T4 \$

T5

T6 LEGISLATIVE MANAGEMENT

T7 Personal Services 812,205

T8		
T9	AUDITORS OF PUBLIC ACCOUNTS	
T10	Other Expenses	603,355
T11		
T12	ASIAN PACIFIC AMERICAN AFFAIRS	
T13	COMMISSION	
T14	Equipment	950
T15		
T16	GOVERNOR'S OFFICE	
T17	Equipment	90
T18		
T19	SECRETARY OF THE STATE	
T20	Equipment	95
T21		
T22	LIEUTENANT GOVERNOR'S OFFICE	
T23	Equipment	95
T24		
T25	ELECTIONS ENFORCEMENT COMMISSION	
T26	Equipment	1,249
T27	Citizens' Election Fund Administration Account	150,000
T28		
T29	OFFICE OF STATE ETHICS	
T30	Personal Services	8,000
T31	Equipment	825
T32		
T33	FREEDOM OF INFORMATION COMMISSION	
T34	Equipment	2,240
T35		
T36	CONTRACTING STANDARDS BOARD	
T37	Equipment	95
T38		
T39	STATE TREASURER	
T40	Equipment	95
T41		
T42	STATE COMPTROLLER	
T43	Equipment	95
T44		
T45	OFFICE OF POLICY AND MANAGEMENT	
T46	Equipment	95

T47	Regional Planning Agencies	149,900
T48	Operation Fuel - PA 08-1	2,000,000
T49		
T50	DEPARTMENT OF VETERANS' AFFAIRS	
T51	Equipment	95
T52		
T53	OFFICE OF WORKFORCE COMPETITIVENESS	
T54	Spanish-American Merchants Association	98,654
T55		
T56	BOARD OF ACCOUNTANCY	
T57	Equipment	6,728
T58		
T59	DEPARTMENT OF ADMINISTRATIVE	
T60	SERVICES	
T61	Equipment	285
T62		
T63	DEPARTMENT OF INFORMATION	
T64	TECHNOLOGY	
T65	Equipment	95
T66		
T67	DEPARTMENT OF PUBLIC WORKS	
T68	Equipment	95
T69		
T70	ATTORNEY GENERAL	
T71	Equipment	95
T72		
T73	BOARD OF FIREARMS PERMIT EXAMINERS	
T74	Equipment	95
T75		
T76	DEPARTMENT OF PUBLIC SAFETY	
T77	Personal Services	48,209
T78	Equipment	95
T79		
T80	POLICE OFFICER STANDARDS AND	
T81	TRAINING COUNCIL	
T82	Equipment	95
T83		
T84	MILITARY DEPARTMENT	
T85	Equipment	95

T86		
T87	COMMISSION ON FIRE PREVENTION AND	
T88	CONTROL	
T89	Equipment	95
T90		
T91	DEPARTMENT OF CONSUMER PROTECTION	
T92	Equipment	95
T93		
T94	LABOR DEPARTMENT	
T95	Equipment	95
T96		
T97	COMMISSION ON HUMAN RIGHTS AND	
T98	OPPORTUNITIES	
T99	Equipment	95
T100		
T101	OFFICE OF PROTECTION AND ADVOCACY	
T102	FOR PERSONS WITH DISABILITIES	
T103	Equipment	95
T104		
T105	OFFICE OF THE CHILD ADVOCATE	
T106	Equipment	95
T107		
T108	DEPARTMENT OF EMERGENCY	
T109	MANAGEMENT AND HOMELAND	
T110	SECURITY	
T111	Equipment	95
T112		
T113	DEPARTMENT OF AGRICULTURE	
T114	Equipment	95
T115	Fair Testing	333
T116		
T117	DEPARTMENT OF ENVIRONMENTAL	
T118	PROTECTION	
T119	Equipment	95
T120	Councils, Districts, and ERTs Land Use Assistance	83,333
T121	Underground Storage Tank Account	1,500,000
T122		
T123	COUNCIL ON ENVIRONMENTAL QUALITY	
T124	Equipment	95

T125		
T126	COMMISSION ON CULTURE AND TOURISM	
T127	Equipment	95
T128	Connecticut Association for the Performing Arts/	
T129	Shubert Theater	103,764
T130	Hartford Urban Arts Grant	103,764
T131	New Britain Arts Alliance	20,752
T132	Film Industry Training Program	61,665
T133	Ivoryton Playhouse	12,136
T134	Discovery Museum	103,764
T135	National Theatre for the Deaf	41,506
T136	Culture, Tourism, and Arts Grant	511,000
T137	CT Trust for Historic Preservation	57,647
T138	Connecticut Science Center	172,782
T139	Greater Hartford Arts Council	25,941
T140	Stamford Center for the Arts	103,764
T141	Stepping Stone Child Museum	12,136
T142	Maritime Center Authority	145,635
T143	Basic Cultural Resources Grant	383,250
T144	Tourism Districts	328,500
T145	Connecticut Humanities Council	576,472
T146	Amistad Committee for the Freedom Trail	12,136
T147	Amistad Vessel	103,764
T148	New Haven Festival of Arts and Ideas	218,453
T149	New Haven Arts Council	25,941
T150	Palace Theater	103,764
T151	Beardsley Zoo	97,090
T152	Mystic Aquarium	169,908
T153	Quinebaug Tourism	16,425
T154	Northwestern Tourism	16,425
T155	Eastern Tourism	16,425
T156	Central Tourism	16,425
T157	Twain/Stowe Homes	26,214
T158		
T159	DEPARTMENT OF ECONOMIC AND	
T160	COMMUNITY DEVELOPMENT	
T161	Equipment	95
T162	Small Business Incubator Program	850,000
T163	Main Street Initiatives	151,711

T164		
T165	AGRICULTURAL EXPERIMENT STATION	
T166	Equipment	95
T167		
T168	DEPARTMENT OF PUBLIC HEALTH	
T169	Equipment	190
T170	School Based Health Clinics	1,044,064
T171		
T172	DEPARTMENT OF DEVELOPMENTAL	
T173	SERVICES	
T174	Personal Services	297,687
T175	Equipment	95
T176		
T177	DEPARTMENT OF MENTAL HEALTH AND	
T178	ADDICTION SERVICES	
T179	Personal Services	30,000
T180	Other Expenses	70,000
T181	Equipment	95
T182	Young Adult Services	2,561,250
T183	Grants for Substance Abuse Services	62,750
T184		
T185	DEPARTMENT OF SOCIAL SERVICES	
T186	Personal Services	122,630
T187	Other Expenses	50,000
T188	HUSKY Outreach	176,613
T189	Day Care Projects	119,705
T190	HUSKY Program	120,000
T191	Childrens' Trust Fund	4,835,787
T192	Charter Oak Health Plan	300,000
T193	Medicaid	85,960,000
T194	Connecticut Home Care Program	175,000
T195	Services to the Elderly	200,000
T196	Safety Net Services	525,224
T197	Transportation for Employment Independence	
T198	Program	830,403
T199	Employment Opportunities	307,845
T200	Human Resource Development	9,645
T201	Independent Living Centers	110,000
T202	DSH-Urban Hospitals in Distressed Municipalities	3,150,000

T203	State Administered General Assistance	1,160,000
T204	Connecticut Children's Medical Center	1,102,000
T205	Community Services	1,725,443
T206	Teen Pregnancy Prevention	100,000
T207	HIS Community Action Program	999,699
T208	Community Services (grant to town)	29,090
T209		
T210	DEPARTMENT OF EDUCATION	
T211	Personal Services	400,000
T212	Equipment	95
T213	Connecticut Pre-Engineering Program	15,000
T214	Readers as Leaders	60,000
T215	Best Practices	450,000
T216	Community Plans For Early Childhood	570,000
T217	Youth Service Bureau Enhancement	400,000
T218	Interdistrict Cooperation	1,000,000
T219		
T220	BOARD OF EDUCATION AND SERVICES FOR	
T221	THE BLIND	
T222	Equipment	95
T223		
T224	COMMISSION ON THE DEAF AND HEARING	
T225	IMPAIRED	
T226	Equipment	95
T227		
T228	STATE LIBRARY	
T229	Equipment	95
T230	Computer Access	132,440
T231		
T232	DEPARTMENT OF HIGHER EDUCATION	
T233	Equipment	48
T234	Minority Advancement Program	491,423
T235	Education and Health Initiatives	235,125
T236	CommPACT Schools	320,625
T237	Americorps	175,000
T238	Capitol Scholarship Program	422,852
T239	Washington Center	1,187
T240	Kirklyn Kerr Grant Program	275,000
T241		

T242	TEACHERS' RETIREMENT BOARD	
T243	Equipment	95
T244		
T245	DEPARTMENT OF CORRECTION	
T246	Equipment	95
T247		
T248	DEPARTMENT OF CHILDREN AND FAMILIES	
T249	Other Expenses	50,000
T250	Equipment	95
T251	Local Systems of Care	120,000
T252	Child Welfare Support Services	166,000
T253	Board and Care for Children - Residential	366,903
T254	Neighborhood Center	43,500
T255		
T256	DEBT SERVICE - STATE TREASURER	
T257	Debt Service	4,500,000
T258		
T259	STATE COMPTROLLER - MISCELLANEOUS	
T260	Interstate Environmental Commission	19,513
T261		
T262	JUDICIAL REVIEW COUNCIL	
T263	Equipment	95
T264		
T265	TOTAL	126,448,675
T266	GENERAL FUND	

8 Sec. 2. (*Effective from passage*) The amounts appropriated to the
9 following agencies in section 11 of public act 09-3 of the June special
10 session, as amended by section 3 of public act 09-7 of the September
11 special session, are reduced by the following amounts for the fiscal
12 year ending June 30, 2011:

T267	GENERAL FUND	
T268		2009- 2010
T269		\$
T270	GOVERNOR'S OFFICE	
T271	New England Governor's Conference	100,692
T272	National Governors' Association	119,900
T273		

T274	FREEDOM OF INFORMATION COMMISSION	
T275	Personal Services	41,932
T276		
T277	CONTRACTING STANDARDS BOARD	
T278	Personal Services	566,622
T279	Other Expenses	318,750
T280		
T281	OFFICE OF POLICY AND MANAGEMENT	
T282	Regional Planning	199,900
T283		
T284	OFFICE OF STATE ETHICS	
T285	PS	53,976
T286		
T287	STATE COMPTROLLER	
T288	Interstate Environmental	48,782
T289		
T290	DEPARTMENT OF AGRICULTURE	
T291	Fair Testing	1,000
T292	Other Expenses	140,507
T293		
T294	LABOR DEPARTMENT	
T295	Other Expenses	257,039
T296	IDA	100,000
T297		
T298	OFFICE OF THE CHILD ADVOCATE	
T299	Personal Services	310,000
T300		
T301	DEPARTMENT OF ENVIRONMENTAL PROTECTION	
T302	Other Expenses	1,481,122
T303	Councils, Districts and ERTs Land Use	250,000
T304	Underground Storage Tank Account	1,785,640
T305		
T306	DEPARTMENT OF AGRICULTURE	
T307	Other Expenses	140,507
T308		
T309	DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT	

T310	Other Expenses	341,410
T311	Main Street Initiatives	171,000
T312		
T313	COMMISSION ON CULTURE AND TOURISM	
T314	Connecticut Association for the Performing Arts/	
T315	Shubert Theater	142,143
T316	Hartford Urban Arts Grant	142,143
T317	New Britain Arts Alliance	24,984
T318	Ivoryton Playhouse	16,625
T319	Discovery Museum	142,143
T320	National Theatre for the Deaf	56,858
T321	Culture, Tourism, and Arts Grant	700,000
T322	CT Trust for Historic Preservation	78,968
T323	Connecticut Science Center	236,688
T324	Greater Hartford Arts Council	35,536
T325	Stamford Center for the Arts	142,143
T326	Stepping Stone Child Museum	16,625
T327	Maritime Center Authority	199,500
T328	Basic Cultural Resources Grant	525,000
T329	Connecticut Humanities Council	789,688
T330	Amistad Committee for the Freedom Trail	16,625
T331	Amistad Vessel	142,143
T332	New Haven Festival of Arts and Ideas	299,250
T333	New Haven Arts Council	35,536
T334	Palace Theater	142,143
T335	Beardsley Zoo	133,000
T336	Mystic Aquarium	232,750
T337	Twain/Stowe Homes	35,910
T338	Film Industry Training Program	250,000
T339	Tourism Districts	450,000
T340	Quinebaug Tourism	22,500
T341	Northwestern Tourism	22,500
T342	Eastern Tourism	22,500
T343	Central Tourism	22,500
T344		
T345	DEPARTMENT OF DEVELOPMENTAL SERVICES	
T346	Personal Services	1,190,748
T347		

T348	DEPARTMENT OF PUBLIC HEALTH	
T349	Civil Air Patrol	34,920
T350	Other Expenses	150,000
T351	PS	192,78837
T352		
T353	DEPARTMENT OF REVENUE SERVICES	
T354	OE	150,000
T355		
T356		
T357	DEPARTMENT OF SOCIAL SERVICES	
T358	PS	381,611
T359	Husky Outreach	671,129
T360	OE	200,000
T361	Husky Program	1,600,000
T362	State Administered General Assistance	1,102,000
T363	Charter Oak	1,600,000
T364	Medicaid	128,719,148
T365	Children's Trust	2,918,541
T366	Community Services	984,109
T367	CT Home Care Program	820,000
T368	DSH - Urban Hospitals	3,150,000
T369	Connecticut Childrens' Medical Center	1,102,000
T370	Teen Pregnancy Prevention	100,000
T371	Services to the Elderly	200,000
T372	Transportation for Employment	3,155,000
T373	Independent Living	643,927
T374		
T375		
T376	DEPARTMENT OF CHILDREN AND FAMILIES	
T377	Board and Children - Residential	8,193,788
T378	Neighborhood Center	261,010
T379	Grants for Psychiatric Clinics for Children	81,442
T380	Community Emergency Services	84,694
T381	Support for Recovering Families	134,047
T382	Child Welfare Support Services	1,058,412
T383	Individualized Family Supports	239,075
T384	Community Kidcare	2,135,122
T385	Child Abuse and Neglect Intervention	136,937

T386		
T387	DIVISION OF SPECIAL REVENUE	
T388	Other Expenses	375,000
T389		
T390	DEPARTMENT OF EDUCATION	
T391	Personal Services	400,000
T392	Best Practices	475,000
T393	Community Plans for Early Childhood	427,500
T394	Connecticut Pre-Engineering Program	87,500
T395	Readers as Leaders	60,000
T396	Youth Service Bureau Enhancement	625,000
T397		
T398	DEPARTMENT OF HIGHER EDUCATION	
T399	Americorps	500,000
T400	Kirklynn Kerr	500,000
T401	Minority Advancement	491,423
T402	CommPACT	712,500
T403		
T404	DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES	
T405	Other Expenses	280,000
T406	PS	120,000
T407	Young Adult	10,245,000
T408	Substance Abuse	251,000
T409		
T410	DEPARTMENT OF CHILDREN AND FAMILIES	
T411	Board and Care for Children - Residential	1,000,000
T412	Neighborhood Center	261,010
T413		
T414	PUBLIC DEFENDER SERVICES COMMISSION	
T415	Personal Service	1,516,358
T416		
T417	DEPARTMENT OF AGING	
T418	Personal Services	334,615
T419	Other Expenses	118,250
T420	Equipment	1
T421		
T422	STATE TREASURER - DEBT SERVICE	
T423	Debt Service	5,000,000

T424		
T425	TOTAL	206,114,093
T426	GENERAL FUND	

13 Sec. 3. (*Effective from passage*) The amounts appropriated to the
 14 following agencies in section 12 of public act 09-3 of the June special
 15 session, as amended by section 4 of public act 09-7 of the September
 16 special session, are reduced by the following amounts for the fiscal
 17 year ending June 30, 2011:

T427	SPECIAL TRANSPORTATION FUND	
T428		2010- 2011
T429		\$
T430	DEPARTMENT OF TRANSPORTATION	
T431	Other Expenses	3,500,000
T432	Rail Operations	3,292,820
T433	Tweed-New Haven Airport Grant	900,000
T434	Non-ADA Dial-A-Ride Program	576,361
T435		
T436	TOTAL	8,269,181
T437	SPECIAL TRANSPORTATION FUND	

18 Sec. 4. (*Effective from passage*) (a) The sum of \$5,000,000 shall be
 19 transferred from the Tobacco and Health Trust Fund and credited to
 20 the resources of the General Fund for the fiscal year ending June 30,
 21 2010.

22 (b) The sum of \$6,000,000 shall be transferred from the Biomedical
 23 Research Trust Fund and credited to the resources of the General Fund
 24 for the fiscal year ending June 30, 2010.

25 (c) Notwithstanding section 9-701 of the general statutes, the
 26 balance of funds in the Citizens' Election Fund shall be transferred and
 27 credited to the resources of the General Fund for the fiscal year ending
 28 June 30, 2010.

29 (d) Notwithstanding section 16-331cc of the general statutes, the

30 sum of \$2,300,000 shall be transferred from the public, educational and
31 governmental programming and education technology investment
32 account and credited to the resources of the General Fund for the fiscal
33 year ending June 30, 2010.

34 (e) Notwithstanding section 19a-32e of the general statutes, the sum
35 of \$5,000,000 shall be transferred from the Stem Cell Research Fund
36 and credited to the resources of the General Fund for the fiscal year
37 ending June 30, 2010.

38 (f) Notwithstanding the provisions of section 14-164m of the general
39 statutes, the sum of \$1,000,000 shall be transferred from the Emissions
40 Enterprise Fund and credited to the resources of the General Fund for
41 the fiscal year ending June 30, 2009.

42 (g) Notwithstanding any provision of the general statutes, after
43 completion of any transfers of funds required under public act 09-3 of
44 the June special session, any balance remaining in any account within
45 the Environmental Conservation Fund, the Environmental Quality
46 Fund or the Clean Air Account shall be transferred from said funds
47 and account and shall be credited to the resources of the General Fund
48 for the fiscal year ending June 30, 2010.

49 (h) Notwithstanding the provisions of section 4-66aa of the general
50 statutes, from the effective date of this section until July 1, 2010, the
51 funds in the community investment account, established pursuant to
52 section 4-66aa of the general statutes, shall be distributed as follows:
53 (1) \$5,000,000 to the resources of the General Fund; and (2) the
54 remainder pursuant to subsection (b) of said section 4-66aa.

55 (i) Any balance remaining in the Federal Emergency Management
56 Agency (FEMA) Administration Account administered by the Office of
57 Policy and Management shall be transferred and credited to the
58 resources of the General Fund for the fiscal year ending June 30, 2010.

59 Sec. 5. (*Effective from passage*) The amount appropriated in section 5
60 of public act 08-1 of the August 24 special session, as amended by

61 section 3 of public act 09-2 of the June special session, section 31 of
62 special act 09-3 of the June special session and section 82 of public act
63 09-5 of the September special session, for Operation Fuel at two
64 hundred per cent of Federal Poverty Level is reduced by \$1,000,000.

65 Sec. 6. Section 25 of public act 09-3 of the June special session, as
66 amended by section 57 of public act 09-6 of the September special
67 session, is amended to read as follows (*Effective from passage*):

68 (a) Up to [\$500,000] \$225,000 appropriated to the Department of
69 Higher Education in section 1 of public act 09-3 of the June special
70 session, as amended by section 1 of public act 09-7 of the September
71 special session, for Connecticut Independent College Student Grant,
72 and set aside pursuant to subsection (c) of this section, shall be
73 transferred to Opportunities for Veterinary Medicine, and such funds
74 shall be available for such purpose during the fiscal year ending June
75 30, 2010.

76 (b) Up to \$500,000 appropriated to the Department of Higher
77 Education in section [(11)] 11 of public act 09-3 of the June special
78 session, as amended by section 3 of public act 09-7 of the September
79 special session, for Connecticut Independent College Student Grant,
80 and set aside pursuant to subsection (c) of this section, shall be
81 transferred to Opportunities for Veterinary Medicine, and such funds
82 shall be available for such purpose during the fiscal year ending June
83 30, 2011.

84 (c) Notwithstanding the provisions of section 10a-40, for the fiscal
85 years ending June 30, 2010, and June 30, 2011, the Department of
86 Higher Education shall compute funding based on the unreduced
87 appropriation and reduce the computed funding amount by \$500,000
88 for an independent college or university that returned a minimum of
89 \$500,000 of its funding for fiscal year 2009 during said fiscal year.

90 Sec. 7. (*Effective from passage*) Notwithstanding section 32-356 of the
91 general statutes, the sum of \$850,000 shall be transferred from the
92 small business incubator account and shall be transferred and credited

93 to the resources of the General Fund for the fiscal year ending June 30,
94 2010.

95 Sec. 8. (*Effective from passage*) (a) The sum of \$380,000 appropriated
96 to the Department of Economic and Community Development in
97 subsection (a) of section 21 of public act 07-1, and carried forward in
98 subsection (b) of said section and section 506 of public act 09-3 of the
99 June special session, for Home CT, for the purpose of the housing
100 incentive zone program, established under the provisions of section 8-
101 13m to 8-13x, inclusive, of the general statutes, shall not be expended
102 and shall be transferred to the resources of the General Fund for the
103 fiscal year ending June 30, 2010.

104 (b) The sum of \$1,397,602 held by the Office of Policy and
105 Management in an account for purposes of administering and funding
106 the housing incentive zone program, established under the provisions
107 of sections 8-13m to 8-13x, inclusive, of the general statutes, shall not
108 be expended and shall be transferred to the resources of the General
109 Fund for the fiscal year ending June 30, 2010.

110 Sec. 9. (*Effective from passage*) The amount appropriated in subsection
111 (a) of section 2 of public act 09-2 of the June 19 special session to
112 Teachers' Retirement Board, for Retirees Health Service Cost, and
113 carried forward by subsection (b) of said section, shall be reduced by
114 \$179,228.

115 Sec. 10. Section 20 of public act 09-7 of the September special session
116 is repealed and the following is substituted in lieu thereof (*Effective*
117 *from passage*):

118 (a) (1) Up to \$264,000 of the funds appropriated to the Department
119 of Social Services in [sections 1 and] section 11 of public act 09-3 of the
120 June special session, for Housing/Homeless Services, shall be made
121 available to provide rental assistance and services for Round 3
122 development projects for the Next Steps Initiative, established
123 pursuant to section 17a-485c of the general statutes, during the fiscal
124 [years ending June 30, 2010, and] year ending June 30, 2011.

125 [(2) Up to \$510,000 of the funds appropriated to the Department of
126 Mental Health and Addiction Services in section 1 of public act 09-3 of
127 the June special session, for Housing Supports and Services, shall be
128 made available to provide rental assistance and services for Round 3
129 development projects for the Next Steps Initiative, established
130 pursuant to section 17a-485c of the general statutes, during the fiscal
131 year ending June 30, 2010.]

132 [(3)] (2) Up to \$1,000,000 of the funds appropriated to the
133 Department of Mental Health and Addiction Services in section 11 of
134 public act 09-3 of the June special session, for Housing Supports and
135 Services, shall be made available to provide rental assistance and
136 services for Round 3 development projects for the Next Steps Initiative,
137 established pursuant to section 17a-485c of the general statutes, during
138 the fiscal year ending June 30, 2011.

139 [(4) Any funds made available in subdivisions (1), (2) and (3) of this
140 subsection that are not used to provide rental assistance and services
141 for Round 3 development projects for the Next Steps Initiative,
142 established pursuant to section 17a-485c of the general statutes, shall
143 be used for other rental assistance and services for new scattered site
144 supportive housing.]

145 [(b)] (3) Up to \$1,000,000 of the funds appropriated to Debt Service -
146 State Treasurer in [sections 1 and] section 11 of public act 09-3 of the
147 June special session, for Debt Service, shall be made available to
148 provide debt service, in accordance with section 17a-485e of the
149 general statutes, for Round 3 development projects for the Next Steps
150 Initiative, established pursuant to section 17a-485c of the general
151 statutes, for the fiscal [years ending June 30, 2010, and] year ending
152 June 30, 2011.

153 Sec. 11. Subsection (a) of section 17b-295 of the general statutes is
154 repealed and the following is substituted in lieu thereof (*Effective from*
155 *passage*):

156 (a) The commissioner shall impose cost-sharing requirements,

157 including the payment of a premium or copayment, in connection with
158 services provided under the HUSKY Plan, Part B, to the extent
159 permitted by federal law. [and] Copayments under the HUSKY Plan,
160 Part B, shall be the same as those in effect for active state employees
161 enrolled in a point-of-enrollment health care plan, provided the
162 family's annual combined premiums and copayments do not exceed
163 the maximum annual aggregate cost-sharing requirement. The cost-
164 sharing requirements imposed by the commissioner shall be in
165 accordance with the following limitations:

166 (1) The commissioner may increase the maximum annual aggregate
167 cost-sharing requirements, provided such cost-sharing requirements
168 shall not exceed five per cent of the family's gross annual income. The
169 commissioner may impose a premium requirement on families whose
170 income exceeds two hundred thirty-five per cent of the federal poverty
171 level as a component of the family's cost-sharing responsibility,
172 provided: (A) The family's annual combined premiums and
173 copayments do not exceed the maximum annual aggregate cost-
174 sharing requirement, and (B) premium requirements shall not exceed
175 the sum of thirty dollars per month per child, with a maximum
176 premium of fifty dollars per month per family. The commissioner shall
177 not impose a premium requirement on families whose income exceeds
178 one hundred eighty-five per cent of the federal poverty level but does
179 not exceed two hundred thirty-five per cent of the federal poverty
180 level; and

181 (2) The commissioner shall require each managed care plan to
182 monitor copayments and premiums under the provisions of
183 subdivision (1) of this subsection.

184 Sec. 12. Section 17b-197 of the general statutes is repealed and the
185 following is substituted in lieu thereof (*Effective from passage*):

186 [(a)] If a recipient of state-administered general assistance or person
187 receiving aid under both the Social Security Disability Income Program
188 and the state supplement to the federal Supplemental Security Income

189 Program has been denied aid under the federal Supplemental Security
190 Income Program, or has been notified by the Social Security
191 Administration that his benefits under such program will be
192 terminated, the Commissioner of Social Services shall advise the
193 recipient [as to his right] of the recipient's right to appeal and the
194 availability of local legal counsel. The attorney chosen by the recipient
195 shall be reimbursed [by the state for his reasonable fees, on a
196 contingency basis, limited to the amount approved by the Department
197 of Social Services,] pursuant to the provisions of 42 USC 406 and
198 limited to the amount approved by the Social Security Administration
199 [when such approval is required by federal regulations for such
200 appeals] under said provisions. Such attorney's fees [shall not] may be
201 recoverable from such recipient or his estate. The full amount of any
202 interim assistance reimbursement received by the state shall be applied
203 to reduce any obligation owed to the town by such recipient.

204 [(b) Those persons receiving aid under both the federal Social
205 Security Administration Disability Program and the state supplement
206 to the federal Supplemental Security Income Program, who have been
207 notified that their benefits under the federal program will be
208 terminated by the Social Security Administration, shall be eligible for
209 the payment of attorney's fees, on a contingency basis, incurred in
210 appealing such termination. The attorney chosen by the recipient shall
211 be reimbursed by the state for his reasonable fees, on a contingency
212 basis, limited to the amount approved by the Department of Social
213 Services and limited to the amount approved by the Social Security
214 Administration when such approval is required by federal regulations
215 for such appeals. Such attorney's fees shall not be recoverable from
216 such recipient or his estate.]

217 Sec. 13. Subsection (d) of section 17b-266 of the 2010 supplement to
218 the general statutes is repealed and the following is substituted in lieu
219 thereof (*Effective from passage*):

220 (d) The commissioner shall pay all capitation claims which would
221 otherwise be reimbursed to the health plans described in subsection (b)

222 of this section in [June, 2011] April, 2010, no later than [July 31, 2011]
223 May 31, 2010 Each subsequent payment made by the commissioner to
224 such health plans for capitation claims due shall be made in the second
225 month following the month to which the capitation applies.

226 Sec. 14. Subsection (f) of section 17b-274d of the 2010 supplement to
227 the general statutes is repealed and the following is substituted in lieu
228 thereof (*Effective from passage*):

229 (f) Nonpreferred drugs in the classes of drugs included on the
230 preferred drug lists shall be subject to prior authorization. [Prior
231 authorization is not required for any mental-health-related drug that
232 has been filled or refilled, in any dosage, at least one time in the one-
233 year period prior to the date the individual presents a prescription for
234 the drug at a pharmacy. If prior authorization is granted for a drug not
235 included on a preferred drug list, the authorization shall be valid for
236 one year from the date the prescription is first filled.] Antiretroviral
237 classes of drugs shall not be included on the preferred drug lists.

238 Sec. 15. (NEW) (*Effective May 1, 2010*) The Commissioner of Social
239 Services shall, to the extent permitted by federal law, impose cost-
240 sharing requirements on Medicaid recipients, except that copayments
241 shall not be imposed for the following services: (1) Inpatient
242 hospitalization; (2) hospital emergency; (3) home health care; (4) those
243 provided under a home and community-based waiver; (5) laboratory;
244 (6) emergency ambulance; and (7) nonemergency medical
245 transportation. The aggregate cost-sharing requirements for
246 prescription drugs shall not exceed twenty dollars per month.

247 Sec. 16. Subsection (a) of section 17b-295 of the general statutes is
248 repealed and the following is substituted in lieu thereof (*Effective from*
249 *passage*):

250 (a) The commissioner shall impose cost-sharing requirements,
251 including the payment of a premium or copayment, in connection with
252 services provided under the HUSKY Plan, Part B, to the extent
253 permitted by federal law, and in accordance with the following

254 limitations:

255 (1) The commissioner may increase the maximum annual aggregate
256 cost-sharing requirements, provided such cost-sharing requirements
257 shall not exceed five per cent of the family's gross annual income. The
258 commissioner may impose a premium requirement on families whose
259 income exceeds one hundred eighty-five per cent of the federal
260 poverty level but does not exceed two hundred thirty-five per cent of
261 the federal poverty level as a component of the family's cost-sharing
262 responsibility, provided: (A) The family's annual combined premiums
263 and copayments do not exceed the maximum annual aggregate cost-
264 sharing requirement, and (B) premium requirements shall not exceed
265 the sum of twenty-five dollars per month for families with one child,
266 with a maximum premium of thirty dollars per month per family. The
267 commissioner may impose a premium requirement on families whose
268 income exceeds two hundred thirty-five per cent of the federal poverty
269 level as a component of the family's cost-sharing responsibility,
270 provided: (A) The family's annual combined premiums and
271 copayments do not exceed the maximum annual aggregate cost-
272 sharing requirement, and (B) premium requirements shall not exceed
273 the sum of [thirty] fifty dollars per month [per] for families with one
274 child, with a maximum premium of [fifty] seventy-five dollars per
275 month per family; [. The commissioner shall not impose a premium
276 requirement on families whose income exceeds one hundred eighty-
277 five per cent of the federal poverty level but does not exceed two
278 hundred thirty-five per cent of the federal poverty level;] and

279 (2) The commissioner shall require each managed care plan to
280 monitor copayments and premiums under the provisions of
281 subdivision (1) of this subsection.

282 Sec. 17. Subsection (c) of section 17b-311 of the general statutes is
283 repealed and the following is substituted in lieu thereof (*Effective from*
284 *passage*):

285 (c) (1) The Commissioner of Social Services shall provide premium

286 assistance to eligible state residents whose gross annual income does
287 not exceed three hundred per cent of the federal poverty level. Such
288 premium assistance shall be limited to: [(1)] (A) One hundred seventy-
289 five dollars per month for individuals whose gross annual income is
290 below one hundred fifty per cent of the federal poverty level; [(2)] (B)
291 one hundred fifty dollars per month for individuals whose gross
292 annual income is at or above one hundred fifty per cent of the federal
293 poverty level but not more than one hundred eighty-five per cent of
294 the federal poverty level; [(3)] (C) seventy-five dollars per month for
295 individuals whose gross annual income is above one hundred eighty-
296 five per cent of the federal poverty level but not more than two
297 hundred thirty-five per cent of the federal poverty level; and [(4)] (D)
298 fifty dollars per month for individuals whose gross annual income is
299 above two hundred thirty-five per cent of the federal poverty level but
300 not more than three hundred per cent of the federal poverty level.
301 Individuals insured under the Charter Oak Health Plan shall pay their
302 share of payment for coverage in the plan directly to the insurer.

303 (2) Notwithstanding the provisions of this subsection, for the fiscal
304 years ending June 30, 2010, and June 30, 2011, the Commissioner of
305 Social Services shall only provide premium assistance to state residents
306 who are eligible for such assistance and who are enrolled in the
307 Charter Oak Health Plan on March 31, 2010.

308 Sec. 18. (NEW) (*Effective from passage*) A provider enrolled in any
309 medical assistance program administered by the Department of Social
310 Services, when billing the department for any good or service, shall bill
311 the department the lowest amount accepted from any member of the
312 general public for a similar good or service.

313 Sec. 19. Subsection (g) of section 17b-340 of the 2010 supplement to
314 the general statutes is repealed and the following is substituted in lieu
315 thereof (*Effective from passage*):

316 (g) For the fiscal year ending June 30, 1993, any intermediate care
317 facility for the mentally retarded with an operating cost component of

318 its rate in excess of one hundred forty per cent of the median of
319 operating cost components of rates in effect January 1, 1992, shall not
320 receive an operating cost component increase. For the fiscal year
321 ending June 30, 1993, any intermediate care facility for the mentally
322 retarded with an operating cost component of its rate that is less than
323 one hundred forty per cent of the median of operating cost
324 components of rates in effect January 1, 1992, shall have an allowance
325 for real wage growth equal to thirty per cent of the increase
326 determined in accordance with subsection (q) of section 17-311-52 of
327 the regulations of Connecticut state agencies, provided such operating
328 cost component shall not exceed one hundred forty per cent of the
329 median of operating cost components in effect January 1, 1992. Any
330 facility with real property other than land placed in service prior to
331 October 1, 1991, shall, for the fiscal year ending June 30, 1995, receive a
332 rate of return on real property equal to the average of the rates of
333 return applied to real property other than land placed in service for the
334 five years preceding October 1, 1993. For the fiscal year ending June 30,
335 1996, and any succeeding fiscal year, the rate of return on real property
336 for property items shall be revised every five years. The commissioner
337 shall, upon submission of a request, allow actual debt service,
338 comprised of principal and interest, in excess of property costs allowed
339 pursuant to section 17-311-52 of the regulations of Connecticut state
340 agencies, provided such debt service terms and amounts are
341 reasonable in relation to the useful life and the base value of the
342 property. For the fiscal year ending June 30, 1995, and any succeeding
343 fiscal year, the inflation adjustment made in accordance with
344 subsection (p) of section 17-311-52 of the regulations of Connecticut
345 state agencies shall not be applied to real property costs. For the fiscal
346 year ending June 30, 1996, and any succeeding fiscal year, the
347 allowance for real wage growth, as determined in accordance with
348 subsection (q) of section 17-311-52 of the regulations of Connecticut
349 state agencies, shall not be applied. For the fiscal year ending June 30,
350 1996, and any succeeding fiscal year, no rate shall exceed three
351 hundred seventy-five dollars per day unless the commissioner, in
352 consultation with the Commissioner of Developmental Services,

determines after a review of program and management costs, that a rate in excess of this amount is necessary for care and treatment of facility residents. For the fiscal year ending June 30, 2002, rate period, the Commissioner of Social Services shall increase the inflation adjustment for rates made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies to update allowable fiscal year 2000 costs to include a three and one-half per cent inflation factor. For the fiscal year ending June 30, 2003, rate period, the commissioner shall increase the inflation adjustment for rates made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies to update allowable fiscal year 2001 costs to include a one and one-half per cent inflation factor, except that such increase shall be effective November 1, 2002, and such facility rate in effect for the fiscal year ending June 30, 2002, shall be paid for services provided until October 31, 2002, except any facility that would have been issued a lower rate effective July 1, 2002, than for the fiscal year ending June 30, 2002, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2002, and have such rate updated effective November 1, 2002, in accordance with applicable statutes and regulations. For the fiscal year ending June 30, 2004, rates in effect for the period ending June 30, 2003, shall remain in effect, except any facility that would have been issued a lower rate effective July 1, 2003, than for the fiscal year ending June 30, 2003, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2003. For the fiscal year ending June 30, 2005, rates in effect for the period ending June 30, 2004, shall remain in effect until September 30, 2004. Effective October 1, 2004, each facility shall receive a rate that is five per cent greater than the rate in effect September 30, 2004. Effective upon receipt of all the necessary federal approvals to secure federal financial participation matching funds associated with the rate increase provided in subdivision (4) of subsection (f) of this section, but in no event earlier than October 1, 2005, and provided the user fee imposed under section 17b-320 is required to be collected, each facility shall receive a rate that is four per cent more than the rate the facility received in the prior

388 fiscal year, except any facility that would have been issued a lower rate
389 effective October 1, 2005, than for the fiscal year ending June 30, 2005,
390 due to interim rate status or agreement with the department, shall be
391 issued such lower rate effective October 1, 2005. Such rate increase
392 shall remain in effect unless: (A) The federal financial participation
393 matching funds associated with the rate increase are no longer
394 available; or (B) the user fee created pursuant to section 17b-320 is not
395 in effect. For the fiscal year ending June 30, 2007, rates in effect for the
396 period ending June 30, 2006, shall remain in effect until September 30,
397 2006, except any facility that would have been issued a lower rate
398 effective July 1, 2006, than for the fiscal year ending June 30, 2006, due
399 to interim rate status or agreement with the department, shall be
400 issued such lower rate effective July 1, 2006. Effective October 1, 2006,
401 no facility shall receive a rate that is more than three per cent greater
402 than the rate in effect for the facility on September 30, 2006, except any
403 facility that would have been issued a lower rate effective October 1,
404 2006, due to interim rate status or agreement with the department,
405 shall be issued such lower rate effective October 1, 2006. For the fiscal
406 year ending June 30, 2008, each facility shall receive a rate that is two
407 and nine-tenths per cent greater than the rate in effect for the period
408 ending June 30, 2007, except any facility that would have been issued a
409 lower rate effective July 1, 2007, than for the rate period ending June
410 30, 2007, due to interim rate status, or agreement with the department,
411 shall be issued such lower rate effective July 1, 2007. For the fiscal year
412 ending June 30, 2009, rates in effect for the period ending June 30, 2008,
413 shall remain in effect until June 30, 2009, except any facility that would
414 have been issued a lower rate for the fiscal year ending June 30, 2009,
415 due to interim rate status or agreement with the department, shall be
416 issued such lower rate. For the fiscal years ending June 30, 2010, and
417 June 30, 2011, rates in effect for the period ending June 30, 2009, shall
418 remain in effect until [June 30, 2011] March 31, 2010, except any facility
419 that would have been issued a lower rate for the [fiscal year ending
420 June 30, 2010, or the fiscal year ending June 30, 2011] period ending
421 March 31, 2020, due to interim rate status or agreement with the
422 department, shall be issued such lower rate. For the period beginning

423 April 1, 2010, to June 30, 2011, inclusive, each facility shall receive a
424 rate that is two per cent lower than the rate in effect on March 31, 2010,
425 except that any facility that would have been issued a lower rate for
426 the period beginning April 1, 2010, to June 30, 2011, inclusive, due to
427 interim rate status or agreement with the department, shall be issued
428 such lower rate.

429 Sec. 20. Subsection (g) of section 17b-239 of the general statutes is
430 repealed and the following is substituted in lieu thereof (*Effective from*
431 *passage*):

432 (g) Effective June 1, 2001, the commissioner shall establish inpatient
433 hospital rates in accordance with the method specified in regulations
434 adopted pursuant to this section and applied for the rate period
435 beginning October 1, 2000, except that the commissioner shall update
436 each hospital's target amount per discharge to the actual allowable cost
437 per discharge based upon the 1999 cost report filing multiplied by
438 sixty-two and one-half per cent if such amount is higher than the target
439 amount per discharge for the rate period beginning October 1, 2000, as
440 adjusted for the ten per cent incentive identified in Section 4005 of
441 Public Law 101-508. If a hospital's rate is increased pursuant to this
442 subsection, the hospital shall not receive the ten per cent incentive
443 identified in Section 4005 of Public Law 101-508. For rate periods
444 beginning October 1, 2001, through September 30, 2006, the
445 commissioner shall not apply an annual adjustment factor to the target
446 amount per discharge. Effective April 1, 2005, the revised target
447 amount per discharge for each hospital with a target amount per
448 discharge less than three thousand seven hundred fifty dollars shall be
449 three thousand seven hundred fifty dollars. Effective October 1, 2007,
450 the commissioner, in consultation with the Secretary of the Office of
451 Policy and Management, shall establish, within available
452 appropriations, an increased target amount per discharge of not less
453 than four thousand two hundred fifty dollars for each hospital with a
454 target amount per discharge less than four thousand two hundred fifty
455 dollars for the rate period ending September 30, 2007, and the
456 commissioner may apply an annual adjustment factor to the target

457 amount per discharge for hospitals that are not increased as a result of
458 this adjustment. [Not later than October 1, 2008, the commissioner
459 shall submit a report to the joint standing committees of the General
460 Assembly having cognizance of matters relating to public health,
461 human services and appropriations and the budgets of state agencies
462 identifying any increased target amount per discharge established or
463 annual adjustment factor applied on or after October 1, 2006, and the
464 associated cost increase estimates related to such actions.] Effective
465 April 1, 2010, the commissioner shall establish a target amount per
466 discharge of not less than four thousand forty dollars for each hospital.

467 Sec. 21. (NEW) (*Effective May 1, 2010*) To the extent permitted by
468 federal law, no payment shall be provided for eyeglasses, contact
469 lenses or services provided by an optician under any medical
470 assistance program administered by the Department of Social Services.

471 Sec. 22. (NEW) (*Effective from passage*) The Commissioner of Social
472 Services shall only authorize payment for the mode of transportation
473 service that is medically necessary for a recipient of assistance under a
474 medical assistance program administered by the Department of Social
475 Services. Notwithstanding any provisions of the general statutes or
476 regulations of Connecticut state agencies, a recipient who requires
477 nonemergency transportation and who shall be transported in a prone
478 position but who does not require medical services during transport
479 may be transported in a stretcher van. The commissioner shall
480 establish rates for nonemergency transportation provided by a
481 stretcher van.

482 Sec. 23. (NEW) (*Effective from passage*) Notwithstanding any
483 provision of the general statutes or the regulations of Connecticut state
484 agencies, the Commissioner of Transportation shall adopt regulations,
485 in accordance with chapter 54 of the general statutes, to establish
486 oversight of stretcher vans as a livery service for which a permit is
487 required, provided certification issued by the Department of Public
488 Health to provide transportation on a stretcher shall be sufficient
489 qualification to be issued a stretcher van permit by the Commissioner

490 of Transportation.

491 Sec. 24. Subsection (a) of section 19a-180 of the 2010 supplement to
492 the general statutes is repealed and the following is substituted in lieu
493 thereof (*Effective from passage*):

494 (a) No person shall operate any ambulance service, rescue service or
495 management service [or otherwise transport in a motor vehicle a
496 patient on a stretcher] without either a license or a certificate issued by
497 the commissioner. No person shall operate a commercial ambulance
498 service or commercial rescue service or a management service without
499 a license issued by the commissioner. A certificate shall be issued to
500 any volunteer or municipal ambulance service which shows proof
501 satisfactory to the commissioner that it meets the minimum standards
502 of the commissioner in the areas of training, equipment and personnel.
503 No license or certificate shall be issued to any volunteer, municipal or
504 commercial ambulance service, rescue service or management service,
505 as defined in subdivision (19) of section 19a-175, as amended by this
506 act, unless it meets the requirements of subsection (e) of section 14-
507 100a. Applicants for a license shall use the forms prescribed by the
508 commissioner and shall submit such application to the commissioner
509 accompanied by an annual fee of two hundred dollars. In considering
510 requests for approval of permits for new or expanded emergency
511 medical services in any region, the commissioner shall consult with the
512 Office of Emergency Medical Services and the emergency medical
513 services council of such region and shall hold a public hearing to
514 determine the necessity for such services. Written notice of such
515 hearing shall be given to current providers in the geographic region
516 where such new or expanded services would be implemented,
517 provided, any volunteer ambulance service which elects not to levy
518 charges for services rendered under this chapter shall be exempt from
519 the provisions concerning requests for approval of permits for new or
520 expanded emergency medical services set forth in this subsection. A
521 primary service area responder that operates in the service area
522 identified in the application shall, upon request, be granted intervenor
523 status with opportunity for cross-examination. Each applicant for

524 licensure shall furnish proof of financial responsibility which the
525 commissioner deems sufficient to satisfy any claim. The commissioner
526 may adopt regulations, in accordance with the provisions of chapter
527 54, to establish satisfactory kinds of coverage and limits of insurance
528 for each applicant for either licensure or certification. Until such
529 regulations are adopted, the following shall be the required limits for
530 licensure: (1) For damages by reason of personal injury to, or the death
531 of, one person on account of any accident, at least five hundred
532 thousand dollars, and more than one person on account of any
533 accident, at least one million dollars, (2) for damage to property at least
534 fifty thousand dollars, and (3) for malpractice in the care of one
535 passenger at least two hundred fifty thousand dollars, and for more
536 than one passenger at least five hundred thousand dollars. In lieu of
537 the limits set forth in subdivisions (1) to (3), inclusive, of this
538 subsection, a single limit of liability shall be allowed as follows: (A) For
539 damages by reason of personal injury to, or death of, one or more
540 persons and damage to property, at least one million dollars; and (B)
541 for malpractice in the care of one or more passengers, at least five
542 hundred thousand dollars. A certificate of such proof shall be filed
543 with the commissioner. Upon determination by the commissioner that
544 an applicant is financially responsible, properly certified and otherwise
545 qualified to operate a commercial ambulance service, rescue service or
546 management service, the commissioner shall issue the appropriate
547 license effective for one year to such applicant. If the commissioner
548 determines that an applicant for either a certificate or license is not so
549 qualified, the commissioner shall notify such applicant of the denial of
550 the application with a statement of the reasons for such denial. Such
551 applicant shall have thirty days to request a hearing on the denial of
552 the application.

553 Sec. 25. Subdivision (11) of section 19a-175 of the 2010 supplement
554 to the general statutes is repealed and the following is substituted in
555 lieu thereof (*Effective from passage*):

556 (11) "Invalid coach" means a vehicle used exclusively for the
557 transportation of nonambulatory patients [, who are not confined to

558 stretchers,] to or from either a medical facility or the patient's home in
559 nonemergency situations or utilized in emergency situations as a
560 backup vehicle when insufficient emergency vehicles exist;

561 Sec. 26. Subsection (c) of section 17b-265d of the 2010 supplement to
562 the general statutes is repealed and the following is substituted in lieu
563 thereof (*Effective from passage*):

564 (c) A full benefit dually eligible Medicare Part D beneficiary shall be
565 responsible for any Medicare Part D prescription drug copayments
566 imposed pursuant to Public Law 108-173, the Medicare Prescription
567 Drug, Improvement, and Modernization Act of 2003, in amounts not to
568 exceed [fifteen] twenty dollars per month. The department shall be
569 responsible for payment, on behalf of such beneficiary, of any
570 Medicare Part D prescription drug copayments in any month in which
571 such copayment amounts exceed [fifteen] twenty dollars in the
572 aggregate.

573 Sec. 27. (NEW) (*Effective May 1, 2010*) Notwithstanding any
574 provision of the general statutes, on and after May 1, 2010, no payment
575 shall be made under a medical assistance program administered by the
576 Department of Social Services for an over-the-counter drug, except for
577 insulin and insulin syringes and as may be required by federal law.

578 Sec. 28. Subsection (b) of section 17b-192 of the 2010 supplement to
579 the general statutes is repealed and the following is substituted in lieu
580 thereof (*Effective April 1, 2010*):

581 (b) Each person eligible for state-administered general assistance
582 shall be entitled to receive medical care through a federally qualified
583 health center or other primary care provider as determined by the
584 commissioner. The Commissioner of Social Services shall determine
585 appropriate service areas and shall, in the commissioner's discretion,
586 contract with community health centers, other similar clinics, and
587 other primary care providers, if necessary, to assure access to primary
588 care services for recipients who live farther than a reasonable distance
589 from a federally qualified health center. The commissioner shall assign

590 and enroll eligible persons in federally qualified health centers and
591 with any other providers contracted for the program because of access
592 needs. Each person eligible for state-administered general assistance
593 shall be entitled to receive hospital services. Medical services under the
594 program shall be limited to the services provided by a federally
595 qualified health center, hospital, or other provider contracted for the
596 program at the commissioner's discretion because of access needs.
597 Dental coverage shall be limited to dental services for an emergency
598 condition. For purposes of this section, an emergency condition means
599 a dental condition manifesting itself by acute symptoms of sufficient
600 severity, including severe pain, such that a prudent layperson, who
601 possesses an average knowledge of health and medicine, could
602 reasonably expect the absence of immediate dental attention to result
603 in placing the health of the individual in serious jeopardy, cause
604 serious impairment to body functions or cause serious dysfunction of
605 any body organ or part. The commissioner shall ensure that ancillary
606 services and specialty services are provided by a federally qualified
607 health center, hospital, or other providers contracted for the program
608 at the commissioner's discretion. Ancillary services include, but are not
609 limited to, radiology, laboratory, and other diagnostic services not
610 available from a recipient's assigned primary care provider, and
611 durable medical equipment. Specialty services are services provided
612 by a physician with a specialty that are not included in ancillary
613 services. Ancillary or specialty services provided under the program
614 shall not exceed such services provided under the state-administered
615 general assistance program on July 1, 2003, except [for] (1)
616 nonemergency medical transportation, [and vision care services which
617 may be provided on a limited basis within available appropriations.
618 Notwithstanding any provision of this subsection, the commissioner
619 may provide, or require a contractor to provide,] which shall be
620 limited to transportation for radiation oncology, chemotherapy and
621 dialysis, and (2) home health services or skilled nursing facility
622 coverage for state-administered general assistance recipients being
623 discharged from a chronic disease hospital when the provision of such
624 services or coverage is determined to be cost effective by the

625 commissioner.

626 Sec. 29. (NEW) (*Effective from passage*) The Commissioner of Social
627 Services, to the extent permitted by federal law, shall amend the
628 Medicaid state plan to limit, on and after May 1, 2010, dental coverage
629 to medical assistance recipients age twenty-one and older to dental
630 services for an emergency condition. For the purposes of this section,
631 an emergency condition means a dental condition manifesting itself by
632 acute symptoms of sufficient severity, including severe pain, such that
633 a prudent layperson, who possesses an average knowledge of health
634 and medicine, could reasonably expect the absence of immediate
635 dental attention to result in placing the health of the individual, or
636 with respect to a pregnant woman, the health of the woman or her
637 unborn child, in serious jeopardy, cause serious impairment to body
638 functions or cause serious dysfunction of any body organ or part.

639 Sec. 30. (NEW) (*Effective from passage*) (a) The terms "medically
640 necessary" and "medical necessity", as used by the Department of
641 Social Services to administer the department's medical assistance
642 program, mean those health services required to prevent, identify,
643 diagnose, treat, rehabilitate or ameliorate a health problem or its
644 effects, or to maintain health and functioning, provided such services
645 are: (1) Consistent with generally accepted standards of medical
646 practice; (2) clinically appropriate in terms of type, frequency, timing,
647 site and duration; (3) demonstrated through scientific evidence to be
648 safe and effective and the least costly among similarly effective
649 alternatives, where adequate scientific evidence exists; and (4) not
650 primarily for the convenience of the patient, physician or other health
651 care providers.

652 (b) Not later than April 1, 2010, the Department of Social Services
653 shall apply the definition of "medically necessary" and "medical
654 necessity" in subsection (a) of this section in administering the medical
655 assistance program. The department shall amend or repeal any
656 inconsistent definitions in the regulations of Connecticut state agencies
657 that are used in administering the department's medical assistance

658 program.

659 Sec. 31. (NEW) (*Effective from passage*) The Commissioner of Social
660 Services shall amend the Medicaid state plan to provide coverage for
661 the treatment of tuberculosis for any eligible person to the extent
662 permitted under federal law.

663 Sec. 32. (NEW) (*Effective from passage*) The Commissioner of Social
664 Services, pursuant to section 17b-10 of the general statutes, may
665 implement policies and procedures necessary to administer subsection
666 (b) of section 17b-192, of the general statutes, as amended by this act,
667 section 17b-197, subsection (g) of section 17b-239, subsection (c) of
668 section 17b-265d, subsection (d) of section 17b-266, subsection (f) of
669 section 17b-274d, subsection (a) of section 17b-295, subsection (c) of
670 section 17b-311, subsection (g) of section 17b-340, subdivision (11) of
671 section 19a-175, subsection (a) of section 19a-180, and sections 15, 18,
672 21, 22, 27, 29, 30 and 31 of this act, while in the process of adopting
673 such policies and procedures as regulation, provided the
674 commissioner prints notice of intent to adopt regulations in the
675 Connecticut Law Journal not later than twenty days after the date of
676 implementation. Policies and procedures implemented pursuant to
677 this section shall be valid until the time final regulations are adopted.

678 Sec. 33. (NEW) (*Effective from passage*) The state, through the
679 Commissioner of Administrative Services, may purchase equipment,
680 supplies, materials and services from a person who has a contract to
681 sell such property to other state governments, political subdivisions of
682 this state, nonprofit organizations or public purchasing consortia, in
683 accordance with the terms and conditions of said contract.

684 Sec. 34. Section 126 of public act 09-3 of the June special session, as
685 amended by section 41 of public act 09-8 of the September special
686 session, is amended to read as follows (*Effective from passage*):

687 (a) For the fiscal year ending June 30, 2010, the Comptroller shall
688 transfer the sum of [eighty-one] seventy-one million two hundred
689 thousand dollars from the resources of the General Fund to the Special

690 Transportation Fund.

691 (b) For the fiscal years ending June 30, 2011, and June 30, 2012, the
692 Comptroller shall transfer the sum of one hundred twenty-six million
693 dollars from the resources of the General Fund to the Special
694 Transportation Fund.

695 (c) For the fiscal year ending June 30, 2013, and annually thereafter,
696 the Comptroller shall transfer the sum of one hundred seventy-two
697 million eight hundred thousand dollars from the resources of the
698 General Fund to the Special Transportation Fund.

699 Sec. 35. Subsection (l) of section 74 of public act 09-3 of the June
700 special session is repealed and the following is substituted in lieu
701 thereof (*Effective from passage*):

702 (l) (1) The sum of [\$3,000,000] \$8,000,000 shall be transferred from
703 The University of Connecticut operating reserve account and credited
704 to the resources of the General Fund for the fiscal year ending June 30,
705 2010.

706 (2) The sum of [\$5,000,000] \$15,000,000 shall be transferred from The
707 University of Connecticut operating reserve account and credited to
708 the resources of the General Fund for the fiscal year ending June 30,
709 2011.

710 Sec. 36. Section 73 of public act 09-3 of the June special session, as
711 amended by section 42 of public act 09-8 of the September special
712 session, is amended to read as follows (*Effective from passage*):

713 (a) Notwithstanding the provisions of section 4-30a of the general
714 statutes, the State Treasurer shall, on the effective date of this section,
715 transfer the sum of [one billion thirty-nine million seven] one billion
716 three hundred twenty-five million one hundred thousand dollars from
717 the Budget Reserve Fund to the resources of the General Fund to be
718 used as revenue for the fiscal year ending June 30, 2010.

719 (b) Notwithstanding the provisions of section 4-30a of the general

720 statutes, the State Treasurer shall, on July 1, 2010, transfer the sum of
721 [three hundred forty-two million] one hundred twenty-two million
722 eight hundred thousand dollars from the Budget Reserve Fund to the
723 resources of the General Fund to be used as revenue for the fiscal year
724 ending June 30, 2011.

725 Sec. 37. Subsection (a) of section 5-142 of the general statutes is
726 repealed and the following is substituted in lieu thereof (*Effective from*
727 *passage*):

728 (a) If any member of the Division of State Police within the
729 Department of Public Safety or of any correctional institution, or any
730 institution or facility of the Department of Mental Health and
731 Addiction Services giving care and treatment to persons afflicted with
732 a mental disorder or disease, or any institution for the care and
733 treatment of persons afflicted with any mental defect, or any full-time
734 enforcement officer of the Department of Environmental Protection,
735 the Department of Motor Vehicles, the Department of Consumer
736 Protection who carries out the duties and responsibilities of sections
737 30-2 to 30-68m, inclusive, the Office of Adult Probation, the
738 Department of Public Works or the Board of Pardons and Paroles, any
739 probation officer for juveniles or any employee of any juvenile
740 detention home, any member of the police or fire security force of The
741 University of Connecticut, any member of the police or fire security
742 force of Bradley International Airport, any member of the Office of
743 State Capitol Police or any person appointed under section 29-18 as a
744 special policeman for the State Capitol building and grounds and the
745 Legislative Office Building and parking garage and related structures
746 and facilities and other areas under the supervision and control of the
747 Joint Committee on Legislative Management, the Chief State's
748 Attorney, the Chief Public Defender, the Deputy Chief State's
749 Attorney, the Deputy Chief Public Defender, any state's attorney, any
750 assistant state's attorney or deputy assistant state's attorney, any public
751 defender, assistant public defender or deputy assistant public
752 defender, any chief inspector or inspector appointed under section 51-
753 286 or any staff member or employee of the Division of Criminal

754 Justice or of the Division of Public Defender Services, or any Judicial
755 Department employee sustains any injury (1) while making an arrest
756 or in the actual performance of such police duties or guard duties or
757 fire duties or inspection duties, or prosecution or public defender or
758 courthouse duties, or while attending or restraining an inmate of any
759 such institution or as a result of being assaulted in the performance of
760 such person's duty, or while responding to an emergency or code at a
761 correctional institution, and (2) that is a direct result of the special
762 hazards inherent in such duties, the state shall pay all necessary
763 medical and hospital expenses resulting from such injury. If total
764 incapacity results from such injury, such person shall be removed from
765 the active payroll the first day of incapacity, exclusive of the day of
766 injury, and placed on an inactive payroll. Such person shall continue to
767 receive the full salary that such person was receiving at the time of
768 injury, [subject to all salary benefits of active employees, including
769 annual increments, and all salary adjustments, including salary
770 deductions, required in the case of active employees] including annual
771 increments, after such full salary has been reduced by an amount equal
772 to the deduction for federal or state taxes, or both, and for the federal
773 Insurance Contribution Act, calculated pursuant to subsection (c) of
774 section 31-310, for a period of two hundred sixty weeks from the date
775 of the beginning of such incapacity. Thereafter, such person shall be
776 removed from the payroll and shall receive compensation at the rate of
777 fifty per cent of the salary that such person was receiving at the
778 expiration of said two hundred sixty weeks as long as such person
779 remains so disabled, except that any such person who is a member of
780 the Division of State Police within the Department of Public Safety
781 shall receive compensation at the rate of sixty-five per cent of such
782 salary as long as such person remains so disabled. Such benefits shall
783 be payable to a member of the Division of State Police after two
784 hundred sixty weeks of disability only if the member elects in writing
785 to receive such benefits in lieu of any benefits payable to the employee
786 under the state employees retirement system. In the event that such
787 disabled member of the Division of State Police elects the
788 compensation provided under this subsection, no benefits shall be

789 payable under chapter 568 or the state employees retirement system
790 until the former of the employee's death or recovery from such
791 disability. The provisions of section 31-293 shall apply to any such
792 payments, and the state of Connecticut is authorized to bring an action
793 or join in an action as provided by said section for reimbursement of
794 moneys paid and which it is obligated to pay under the terms of this
795 subsection. All other provisions of the workers' compensation law not
796 inconsistent with this subsection, including the specific indemnities
797 and provisions for hearing and appeal, shall be available to any such
798 state employee or the dependents of such a deceased employee. All
799 payments of compensation made to a state employee under this
800 subsection shall be charged to the appropriation provided for
801 compensation awards to state employees. On and after October 1,
802 1991, any full-time officer of the Department of Environmental
803 Protection, the Department of Motor Vehicles, the Department of
804 Consumer Protection who carries out the duties and responsibilities of
805 sections 30-2 to 30-68m, inclusive, the Office of Adult Probation, the
806 Department of Public Works or the Board of Pardons and Paroles, any
807 probation officer for juveniles or any employee of any juvenile
808 detention home, the Chief State's Attorney, the Chief Public Defender,
809 the Deputy Chief State's Attorney, the Deputy Chief Public Defender,
810 any state's attorney, assistant state's attorney or deputy assistant state's
811 attorney, any public defender, assistant public defender or deputy
812 assistant public defender, any chief inspector or inspector appointed
813 under section 51-286 or any staff member or employee of the Division
814 of Criminal Justice or the Division of Public Defender Services, or any
815 Judicial Department employee who sustains any injury in the course
816 and scope of such person's employment shall be paid compensation in
817 accordance with the provisions of section 5-143 and chapter 568,
818 except, if such injury is sustained as a result of being assaulted in the
819 performance of such person's duty, any such person shall be
820 compensated pursuant to the provisions of this subsection.

821 Sec. 38. Section 31-310 of the general statutes is amended by adding
822 subsection (c) as follows (*Effective from passage*):

823 (NEW) (c) Each August fifteenth, the chairman of the Workers'
824 Compensation Commission, in consultation with the advisory board,
825 shall publish a table of the full salaries after such salaries have been
826 reduced by an amount equal to the deduction for federal or state taxes,
827 or both, and for the federal Insurance Contribution Act, to be effective
828 the following October first. Such table shall be conclusive for the
829 purpose of determining the full salary after such deductions under
830 section 5-142 of the general statutes.

831 Sec. 39. (*Effective from passage*) The sum of \$100,000,000 appropriated
832 in section 1 of public act 09-3 of the June special session, as amended
833 by public act 09-7 of the September special session, to the State
834 Comptroller - Fringe Benefits, for State Employee Retirement
835 Contributions, and unexpended pursuant to the provision authorizing
836 such withholding in the agreement between the State of Connecticut
837 and the State Employees Bargaining Agent Coalition (SEBAC) ratified
838 May 8, 2009, shall be transferred to the State Employees Retirement
839 Fund for the fiscal year ending June 30, 2010.

840 Sec. 40. (*Effective from passage*) The Governor shall attain the
841 following savings through the following initiatives, for the fiscal year
842 ending June 30, 2010:

843 (1) \$250,000 -- change in one hundred per cent benefit under
844 workers' compensation law for certain state employees.

845 (2) \$50,000 -- expansion of use of cooperative purchasing plans.

846 (3) \$1,774,000 -- delay of new supportive housing starts until the
847 fiscal year ending June 30, 2011.

848 (4) \$11,811 -- deappropriation of General Fund equipment funding
849 for various agencies.

850 (5) \$164,814 -- deappropriation of funding to the Freedom of
851 Information Commission, the Office of State Ethics and the State
852 Elections Enforcement Commission in lieu of rescissions.

853 Sec. 41. (*Effective from passage*) Notwithstanding sections 12-3, 17a-9,
854 17a-452, 29-179i and 32-1d of the general statutes, the employment of
855 each deputy commissioner of a state agency shall be terminated
856 effective April 1, 2010, and no deputy commissioner position shall be
857 filled or refilled until the Budget Reserve Fund equals at least five per
858 cent of the net General Fund appropriations for the current fiscal year.

859 Sec. 42. (*Effective from passage*) On and after April 1, 2010, no public
860 official or state employee, other than the Governor, shall be entitled to
861 a driver at state expense.

862 Sec. 43. Subsection (c) of section 14-100a of the general statutes is
863 repealed and the following is substituted in lieu thereof (*Effective May*
864 *1, 2010*):

865 (c) (1) The operator of and any front seat passenger in a motor
866 vehicle with a gross vehicle weight rating not exceeding ten thousand
867 pounds or fire fighting apparatus originally equipped with seat safety
868 belts complying with the provisions of the Code of Federal
869 Regulations, Title 49, Section 571.209, as amended from time to time,
870 shall wear such seat safety belt while the vehicle is being operated on
871 any highway, except as follows:

872 (A) A child six years of age and under shall be restrained as
873 provided in subsection (d) of this section;

874 (B) The operator of such vehicle shall secure or cause to be secured
875 in a seat safety belt any passenger seven years of age or older and
876 under sixteen years of age; and

877 (C) If the operator of such vehicle is under eighteen years of age,
878 such operator and each passenger in such vehicle shall wear such seat
879 safety belt while the vehicle is being operated on any highway.

880 (2) The provisions of subdivision (1) of this subsection shall not
881 apply to (A) any person whose physical disability or impairment
882 would prevent restraint in such safety belt, provided such person

883 obtains a written statement from a licensed physician containing
884 reasons for such person's inability to wear such safety belt and
885 including information concerning the nature and extent of such
886 condition. Such person shall carry the statement on his or her person
887 or in the motor vehicle at all times when it is being operated, or (B) an
888 authorized emergency vehicle, other than fire fighting apparatus,
889 responding to an emergency call or a motor vehicle operated by a rural
890 letter carrier of the United States postal service while performing his or
891 her official duties or by a person engaged in the delivery of
892 newspapers.

893 (3) Failure to wear a seat safety belt shall not be considered as
894 contributory negligence nor shall such failure be admissible evidence
895 in any civil action.

896 (4) Any operator of a motor vehicle, who is eighteen years of age or
897 older, and any passenger in such motor vehicle, who violates any
898 provision of this subsection shall have committed an infraction and
899 shall be fined [fifteen] twenty-five dollars. Any operator of a motor
900 vehicle who is under eighteen years of age and any passenger in such
901 motor vehicle who violates any provision of this subsection shall have
902 committed an infraction and shall be fined seventy-five dollars. Points
903 may not be assessed against the operator's license of any person
904 convicted of such violation.

905 Sec. 44. Subsection (a) of section 14-37a of the 2010 supplement to
906 the general statutes is repealed and the following is substituted in lieu
907 thereof (*Effective May 1, 2010*):

908 (a) Any person whose operator's license has been suspended
909 pursuant to any provision of this chapter or chapter 248, except
910 pursuant to section 14-215 for operating under suspension or pursuant
911 to section 14-140 for failure to appear for any scheduled court
912 appearance, and any person identified in subsection (g) of this section
913 may make application to the Commissioner of Motor Vehicles for (1) a
914 special "work" permit to operate a motor vehicle to and from such

915 person's place of employment or, if such person is not employed at a
916 fixed location, to operate a motor vehicle only in connection with, and
917 to the extent necessary, to properly perform such person's business or
918 profession, or (2) a special "education" permit to operate a motor
919 vehicle to and from an accredited institution of higher education in
920 which such person is enrolled. Such application shall be accompanied
921 by a fee of one hundred dollars.

922 Sec. 45. Section 51-164m of the general statutes is repealed and the
923 following is substituted in lieu thereof (*Effective May 1, 2010*):

924 (a) The judges of the Superior Court shall establish and maintain a
925 schedule of fines to be paid for the violation of the sections of the
926 general statutes deemed to be infractions. [and] The judges of the
927 Superior Court shall establish and maintain a separate sliding scale of
928 fines for speeding infractions committed under section 14-219 with a
929 minimum fine of [thirty-five] fifty dollars and the fine increasing in
930 proportion to the severity of the violation. The fines may be modified
931 as the judges of the Superior Court deem advisable.

932 (b) The judges of the Superior Court shall establish and maintain a
933 schedule of fines to be paid for those violations of section 14-219
934 specified in subsection (e) of said section, with such fines increasing in
935 proportion to the severity of the violation and for violations under
936 subsection (b) of section 51-164n. The fines may be modified as the
937 judges of the Superior Court deem advisable.

938 (c) [No] (1) Except as provided in subdivision (2) of this subsection,
939 no fine established in accordance with the provisions of subsection (a)
940 of this section may be less than thirty-five dollars or [in excess of] more
941 than ninety dollars.

942 (2) No fine established in accordance with the provisions of
943 subsection (a) of this section for a violation of any provision of title 14
944 deemed an infraction may be less than fifty dollars or more than ninety
945 dollars, except that fines established for [(1)] (A) parking tag violations,
946 and [(2)] (B) violations of subsection (c) of section 14-100a, as amended

947 by this act, may be less than [thirty-five] fifty dollars.

948 (d) No fine established in accordance with the provisions of
949 subsection (b) of this section may be in an amount in excess of the
950 maximum amount specified by statute for such violation.

951 (e) Any infraction for which a fine has not been established
952 pursuant to the provisions of subsection (a) of this section shall carry a
953 fine of thirty-five dollars or, if the infraction is for a violation of any
954 provision of title 14, fifty dollars, until such time as the judges of the
955 Superior Court may establish a different fine for such infraction.

956 (f) Any violation for which a fine has not been established pursuant
957 to subsection (b) of this section shall carry a fine of one hundred
958 dollars or the maximum fine specified by statute for such violation,
959 whichever is less.

960 Sec. 46. Subsection (g) of section 51-164n of the general statutes is
961 repealed and the following is substituted in lieu thereof (*Effective May*
962 *1, 2010*):

963 (g) In any trial for the alleged commission of an infraction, the
964 practice, procedure, rules of evidence and burden of proof applicable
965 in criminal proceedings shall apply. Any person found guilty at the
966 trial or upon a plea shall be guilty of the commission of an infraction
967 and shall be fined not less than thirty-five dollars or more than ninety
968 dollars or, if the infraction is for a violation of any provision of title 14,
969 not less than fifty dollars or more than ninety dollars.

970 Sec. 47. Subsection (b) of section 14-13 of the general statutes is
971 repealed and the following is substituted in lieu thereof (*Effective May*
972 *1, 2010*):

973 (b) Any person who violates any provision of this section shall [, for
974 a first offense,] be deemed to have committed an infraction and be
975 fined [thirty-five] fifty dollars. [, and, for each subsequent offense, shall
976 be fined not more than fifty dollars.]

977 Sec. 48. Subsection (b) of section 14-17 of the general statutes is
978 repealed and the following is substituted in lieu thereof (*Effective May*
979 *1, 2010*):

980 (b) Any person who violates any provision of this section shall be
981 deemed to have committed an infraction and be fined [thirty-five] fifty
982 dollars for each offense.

983 Sec. 49. Subsection (c) of section 14-26 of the general statutes is
984 repealed and the following is substituted in lieu thereof (*Effective May*
985 *1, 2010*):

986 (c) Any person who violates any provision of this section shall have
987 committed an infraction. Any person who violates any provision of
988 subsection (b) of this section shall be fined [, for the first offense, thirty-
989 five dollars and, for each subsequent offense, not less than thirty-five
990 dollars nor more than] fifty dollars.

991 Sec. 50. Subsection (e) of section 14-36a of the general statutes is
992 repealed and the following is substituted in lieu thereof (*Effective May*
993 *1, 2010*):

994 (e) Any person who violates any provision of subsection (d) or (e) of
995 this section shall, for a first offense, be deemed to have committed an
996 infraction and be fined [not less than thirty-five dollars or more than]
997 fifty dollars and, for a subsequent offense, shall be fined not more than
998 one hundred dollars or imprisoned not more than thirty days, or both.

999 Sec. 51. Subsection (e) of section 14-40a of the general statutes is
1000 repealed and the following is substituted in lieu thereof (*Effective May*
1001 *1, 2010*):

1002 (e) Any person who violates any provision of subsection (a), (b) or
1003 (d) of this section shall, for a first offense, be deemed to have
1004 committed an infraction and be fined [not less than thirty-five dollars
1005 or more than] fifty dollars and, for any subsequent offense, shall be
1006 fined not more than one hundred dollars or imprisoned not more than

1007 thirty days, or both.

1008 Sec. 52. Subsection (b) of section 14-81 of the 2010 supplement to the
1009 general statutes is repealed and the following is substituted in lieu
1010 thereof (*Effective May 1, 2010*):

1011 (b) Any person who violates any provision of this section shall be
1012 deemed to have committed an infraction and be fined [not less than
1013 thirty-five dollars nor more than] fifty dollars for each offense.

1014 Sec. 53. Subsection (c) of section 14-145 of the general statutes is
1015 repealed and the following is substituted in lieu thereof (*Effective May*
1016 *1, 2010*):

1017 (c) Any person who violates any provision of this section shall, for a
1018 first offense, be deemed to have committed an infraction and be fined
1019 [not less than thirty-five dollars nor more than] fifty dollars, and, for
1020 each subsequent offense, shall be fined not less than fifty dollars nor
1021 more than one hundred dollars or imprisoned not more than thirty
1022 days or be both fined and imprisoned.

1023 Sec. 54. Subsection (n) of section 14-164c of the general statutes is
1024 repealed and the following is substituted in lieu thereof (*Effective May*
1025 *1, 2010*):

1026 (n) No person, firm or corporation shall operate or allow to be
1027 operated any motor vehicle that has not been inspected and found to
1028 be in compliance with the provisions of subsections (c), (d) and (i) of
1029 this section and the regulations adopted by the commissioner.
1030 Operation in violation of said subsections or the regulations adopted
1031 by the commissioner shall be an infraction for each violation, except
1032 that the fine for a first violation shall be [thirty-five] fifty dollars. The
1033 commissioner may deny the issuance of registration to the owner of a
1034 motor vehicle, or the renewal of registration to any such owner, or
1035 suspend or revoke any registration that has been issued, if such motor
1036 vehicle is not in compliance with the inspection requirements of this
1037 chapter, or such owner has failed to pay any fee required by the

1038 provisions of this chapter.

1039 Sec. 55. Subsection (a) of section 14-223 of the general statutes is
1040 repealed and the following is substituted in lieu thereof (*Effective May*
1041 *1, 2010*):

1042 (a) Whenever the operator of any motor vehicle fails promptly to
1043 bring his motor vehicle to a full stop upon the signal of any officer in
1044 uniform or prominently displaying the badge of his office, or disobeys
1045 the direction of such officer with relation to the operation of his motor
1046 vehicle, he shall be deemed to have committed an infraction and be
1047 fined [thirty-five dollars for a first offense and shall be fined not less
1048 than thirty-five dollars nor more than fifty dollars for any subsequent
1049 offense] fifty dollars.

1050 Sec. 56. Section 14-285 of the general statutes is repealed and the
1051 following is substituted in lieu thereof (*Effective May 1, 2010*):

1052 Each vehicle, except a motor vehicle, which is so constructed or
1053 which is so loaded that the driver is prevented from having a free and
1054 unobstructed view of the highway immediately to the rear and at the
1055 sides of the same, shall be equipped with a mirror or reflector attached
1056 to and so located and adjusted on such vehicle as to give the operator
1057 thereof a clear reflected view of the highway directly to the rear on a
1058 line parallel to the side of the body of such vehicle. Any person
1059 operating such a vehicle shall make observations for the approach of
1060 vehicles from the rear and, when so approached, shall drive to the
1061 right of the center line of the traveled way as promptly as safety will
1062 permit, giving the vehicle approaching from the rear opportunity to
1063 pass in safety. Any person who violates any provision of this section
1064 shall be deemed to have committed an infraction and be fined [not less
1065 than thirty-five dollars nor more than] fifty dollars for each offense.

1066 Sec. 57. Section 26-27b of the 2010 supplement to the general statutes
1067 is repealed and the following is substituted in lieu thereof (*Effective*
1068 *April 6, 2010, and applicable to all license and permit fees collected on or after*
1069 *said date*):

1070 (a) On or after July 1, 1993, no person sixteen years of age or older
1071 may hunt waterfowl or take waterfowl in the state without first
1072 procuring a Connecticut Migratory Bird Conservation Stamp and
1073 having such stamp in his possession with his signature written in ink
1074 across the face of the stamp while hunting waterfowl or taking
1075 waterfowl. The stamp shall not be transferable and shall be issued
1076 annually beginning on July first.

1077 (b) The Commissioner of Environmental Protection shall provide for
1078 the design, production and procurement of the mandatory Connecticut
1079 Migratory Bird Conservation Stamp and shall, by regulations adopted
1080 in accordance with the provisions of chapter 54, provide for the
1081 issuance of the stamp. Stamps shall be sold at a price determined by
1082 the commissioner, provided the price of a mandatory stamp shall not
1083 exceed [fifteen] twelve dollars. Any agent or town clerk issuing such
1084 stamps may retain a fee of fifty cents for each stamp sold and shall
1085 remit the balance to the Department of Environmental Protection.

1086 Sec. 58. Section 26-28 of the 2010 supplement to the general statutes
1087 is repealed and the following is substituted in lieu thereof (*Effective*
1088 *April 6, 2010, and applicable to all license and permit fees collected on or after*
1089 *said date*):

1090 (a) Except as provided in subsection (b) of this section, the fees for
1091 firearms hunting, archery hunting, trapping and sport fishing licenses
1092 or for the combination thereof shall be as follows: (1) Resident firearms
1093 hunting license, [twenty-eight] seventeen dollars; (2) resident fishing
1094 license, [forty] twenty-four dollars; (3) resident marine waters fishing
1095 license, ten dollars; (4) one-day resident marine waters fishing license,
1096 [fifteen] five dollars; (5) resident all-waters fishing license, [fifty] thirty
1097 dollars; (6) resident combination license to fish in inland waters and
1098 firearms hunt, [fifty-six] thirty-four dollars; (7) resident combination
1099 license to fish in marine waters and firearms hunt, [fifty] twenty-five
1100 dollars; (8) resident combination license to fish in all waters and
1101 firearms hunt, [sixty] forty-five dollars; (9) resident combination
1102 license to fish in all waters and bow and arrow permit to hunt deer and

1103 small game issued pursuant to section 26-86c, as amended by this act,
1104 [eighty-four] sixty dollars; (10) resident firearms super sport license to
1105 fish in all waters and firearms hunt, firearms private land shotgun or
1106 rifle deer permit issued pursuant to section 26-86a, as amended by this
1107 act, and permit to hunt wild turkey during the spring season on
1108 private land issued pursuant to section 26-48a, as amended by this act,
1109 [one hundred sixteen] seventy-five dollars; (11) resident archery super
1110 sport license to fish in all waters, bow and arrow permit to hunt deer
1111 and small game issued pursuant to section 26-86c, as amended by this
1112 act, and permit to hunt wild turkey during the spring season on
1113 private land issued pursuant to section 26-48a, as amended by this act,
1114 [one hundred four] eighty dollars; (12) resident trapping license, [fifty]
1115 thirty dollars; (13) resident junior trapping license for persons under
1116 sixteen years of age, [fifteen] four dollars; (14) junior firearms hunting
1117 license, [fifteen] four dollars; (15) nonresident firearms hunting license,
1118 [one hundred thirty-four] eighty dollars; (16) nonresident inland
1119 waters fishing license, [eighty] forty-eight dollars; (17) nonresident
1120 inland waters fishing license for a period of three consecutive days,
1121 [thirty-two] nineteen dollars; (18) nonresident marine waters fishing
1122 license, sixty dollars; (19) nonresident marine waters fishing license for
1123 a period of three consecutive days, twenty-four dollars; (20)
1124 nonresident all-waters fishing license, one hundred dollars; (21)
1125 nonresident combination license to firearms hunt and inland waters
1126 fish, one hundred seventy-six dollars; (22) nonresident combination
1127 license to fish in all waters and firearms hunt, one hundred ninety
1128 dollars; (23) nonresident combination license to fish in marine waters
1129 and firearms hunt, one hundred seventy dollars; and (24) nonresident
1130 trapping license, two hundred fifty dollars. Persons sixty-five years of
1131 age and over who have been residents of this state for not less than one
1132 year and who meet the requirements of subsection (b) of section 26-31
1133 may be issued an annual license to firearms hunt or to fish or
1134 combination license to fish and firearms hunt or a license to trap
1135 without fee. The issuing agency shall indicate on a combination license
1136 the specific purpose for which such license is issued. The town clerk
1137 shall retain a recording fee of one dollar for each license issued by him.

1138 (b) Any nonresident residing in one of the New England states or
1139 the state of New York may procure a license to hunt or to fish or to
1140 hunt and fish for the same fee or fees as a resident of this state if he is a
1141 resident of a state the laws of which allow the same privilege to
1142 residents of this state.

1143 Sec. 59. Section 26-37 of the 2010 supplement to the general statutes
1144 is repealed and the following is substituted in lieu thereof (*Effective*
1145 *April 6, 2010, and applicable to all license and permit fees collected on or after*
1146 *said date*):

1147 The commissioner, upon written application and the payment of a
1148 fee of [fifteen] eight dollars, shall issue to any person licensed to hunt,
1149 to hunt and trap or fish, or the combination thereof, a duplicate license
1150 when he is satisfied that the original license of such person has been
1151 lost, destroyed or mutilated beyond recognition. No such application
1152 form shall contain any material false statement. All such application
1153 forms shall have printed thereon, "I declare under the penalties of false
1154 statement that the statements herein made by me are true and correct."
1155 Any person who makes any material false statement on such
1156 application form shall be guilty of false statement and shall be subject
1157 to the penalties provided for false statement and such offense shall be
1158 deemed to have been committed in the town of residence of the
1159 applicant, except that in the case of applications received from
1160 nonresidents such offense shall be deemed to have been committed in
1161 the town in which such application is presented or received for
1162 processing. The town clerk certifying such application form shall
1163 receive from the total fee herein specified the sum of one dollar.

1164 Sec. 60. Section 26-39 of the 2010 supplement to the general statutes
1165 is repealed and the following is substituted in lieu thereof (*Effective*
1166 *April 6, 2010, and applicable to all license and permit fees collected on or after*
1167 *said date*):

1168 Any hunting organization or individual owning and using for
1169 hunting an organized pack of ten or more hounds or beagles may hunt

1170 foxes or rabbits for sport during the open season provided therefor,
1171 provided such organization or individual shall be licensed to do so.
1172 The commissioner may issue such license upon application and the
1173 payment of an annual fee of [seventy] forty-two dollars. Persons
1174 participating in hunting conducted with an organized pack of hounds
1175 under such a license shall not be required to have a hunting license. No
1176 participant in such hunt shall carry firearms.

1177 Sec. 61. Section 26-48a of the 2010 supplement to the general statutes
1178 is repealed and the following is substituted in lieu thereof (*Effective*
1179 *April 6, 2010, and applicable to all license and permit fees collected on or after*
1180 *said date*):

1181 (a) The commissioner may establish, by regulations adopted in
1182 accordance with the provisions of chapter 54, standards for the
1183 management of salmon, migratory game birds in accordance with
1184 section 26-92, pheasant and turkey which shall include provision for
1185 the issuance of permits, tags or stamps. The commissioner may charge
1186 a fee for a permit, tag or stamp as follows: Not more than [twenty-
1187 eight] seventeen dollars for turkey; not more than [fifteen] four dollars
1188 for migratory game birds; not more than [twenty-eight] seventeen
1189 dollars for pheasant and not more than [fifty-six] thirty-four dollars for
1190 salmon. No person shall be issued a permit, tag or stamp for migratory
1191 birds, pheasant or turkey without first obtaining a license to hunt and
1192 no person shall be issued a permit, tag or stamp for salmon without
1193 first obtaining a license to fish. Notwithstanding any provision of any
1194 regulation to the contrary, the commissioner may charge a fee of
1195 [twenty-eight] seventeen dollars for the issuance of a permit to hunt
1196 wild turkey on state-owned or private land during the fall season.

1197 (b) Such permits, tags or stamps shall be issued to qualified
1198 applicants by any town clerk. Application for such permits, tags or
1199 stamps shall be on such form and require of the applicant such
1200 information as the commissioner may prescribe. The commissioner
1201 may adopt regulations, in accordance with the provisions of chapter
1202 54, authorizing a town clerk to retain part of any fee paid for a permit,

1203 tag or stamp issued by such town clerk pursuant to this section,
1204 provided the amount retained shall not be less than fifty cents.

1205 Sec. 62. Section 26-86a of the 2010 supplement to the general statutes
1206 is repealed and the following is substituted in lieu thereof (*Effective*
1207 *April 6, 2010, and applicable to all license and permit fees collected on or after*
1208 *said date*):

1209 (a) The commissioner shall establish by regulation adopted in
1210 accordance with the provisions of chapter 54 standards for deer
1211 management, and methods, regulated areas, bag limits, seasons and
1212 permit eligibility for hunting deer with bow and arrow, muzzleloader
1213 and shotgun, except that no such hunting shall be permitted on
1214 Sunday. No person shall hunt, pursue, wound or kill deer with a
1215 firearm without first obtaining a deer permit from the commissioner in
1216 addition to the license required by section 26-27. Application for such
1217 permit shall be made on forms furnished by the commissioner and
1218 containing such information as he may require. Such permit shall be of
1219 a design prescribed by the commissioner, shall contain such
1220 information and conditions as the commissioner may require, and may
1221 be revoked for violation of any provision of this chapter or regulations
1222 adopted pursuant thereto. As used in this section, "muzzleloader"
1223 means a rifle or shotgun of at least forty-five caliber, incapable of firing
1224 a self-contained cartridge, which uses powder, a projectile, including,
1225 but not limited to, a standard round ball, mini-balls, maxi-balls and
1226 Sabot bullets, and wadding loaded separately at the muzzle end and
1227 "rifle" means a long gun the projectile of which is six millimeters or
1228 larger in diameter. The fee for a firearms permit shall be [twenty-eight]
1229 seventeen dollars for residents of the state and [one hundred] sixty
1230 dollars for nonresidents, except that any nonresident who is an active
1231 full-time member of the armed forces, as defined in section 27-103,
1232 may purchase a firearms permit for the same fee as is charged a
1233 resident of the state. The commissioner shall issue, without fee, a
1234 private land deer permit to the owner of ten or more acres of private
1235 land and the husband or wife, parent, grandparent, sibling and any
1236 lineal descendant of such owner, provided no such owner, husband or

1237 wife, parent, grandparent, sibling or lineal descendant shall be issued
1238 more than one such permit per season. Such permit shall allow the use
1239 of a rifle, shotgun, muzzleloader or bow and arrow on such land from
1240 November first to December thirty-first, inclusive. Deer may be so
1241 hunted at such times and in such areas of such state-owned land as are
1242 designated by the Commissioner of Environmental Protection and on
1243 privately owned land with the signed consent of the landowner, on
1244 forms furnished by the department, and such signed consent shall be
1245 carried by any person when so hunting on private land. The owner of
1246 ten acres or more of private land may allow the use of a rifle to hunt
1247 deer on such land during the shotgun season. The commissioner shall
1248 determine, by regulation, the number of consent forms issued for any
1249 regulated area established by said commissioner. The commissioner
1250 shall provide for a fair and equitable random method for the selection
1251 of successful applicants who may obtain shotgun and muzzleloader
1252 permits for hunting deer on state lands. Any person whose name
1253 appears on more than one application for a shotgun permit or more
1254 than one application for a muzzleloader permit shall be disqualified
1255 from the selection process for such permit. No person shall hunt,
1256 pursue, wound or kill deer with a bow and arrow without first
1257 obtaining a bow and arrow permit pursuant to section 26-86c, as
1258 amended by this act. "Bow and arrow" as used in this section and in
1259 section 26-86c, as amended by this act, means a bow with a draw
1260 weight of not less than forty pounds. The arrowhead shall have two or
1261 more blades and may not be less than seven-eighths of an inch at the
1262 widest point. No person shall carry firearms of any kind while hunting
1263 with a bow and arrow under said sections.

1264 (b) Any person who takes a deer without a permit shall be fined not
1265 less than two hundred dollars or more than five hundred dollars or
1266 imprisoned not less than thirty days or more than six months or shall
1267 be both fined and imprisoned, for the first offense, and for each
1268 subsequent offense shall be fined not less than two hundred dollars or
1269 more than one thousand dollars or imprisoned not more than one year
1270 or shall be both fined and imprisoned.

1271 Sec. 63. Section 26-86c of the 2010 supplement to the general statutes
1272 is repealed and the following is substituted in lieu thereof (*Effective*
1273 *April 6, 2010, and applicable to all license and permit fees collected on or after*
1274 *said date*):

1275 No person may hunt deer or small game with a bow and arrow
1276 under the provisions of this chapter without a valid permit issued by
1277 the Commissioner of Environmental Protection pursuant to this
1278 section or section 26-86a, as amended by this act, for persons hunting
1279 deer with bow and arrow under private land deer permits issued free
1280 to qualifying landowners, or their husbands or wives, parents,
1281 grandparents, lineal descendants or siblings under that section. The fee
1282 for such bow and arrow permit to hunt deer and small game shall be
1283 [sixty] thirty-six dollars for residents and [two hundred] one hundred
1284 twenty dollars for nonresidents, or [twenty-six] sixteen dollars for any
1285 person twelve years of age or older but under sixteen years of age,
1286 except that any nonresident who is an active full-time member of the
1287 armed forces, as defined in section 27-103, may purchase a bow and
1288 arrow permit to hunt deer and small game for the same fee as is
1289 charged a resident of the state. Permits to hunt with a bow and arrow
1290 under the provisions of this chapter shall be issued only to qualified
1291 applicants therefor by the Commissioner of Environmental Protection,
1292 in such form as said commissioner prescribes. Applications shall be
1293 made on forms furnished by the commissioner containing such
1294 information as he may require and all such application forms shall
1295 have printed thereon: "I declare under the penalties of false statement
1296 that the statements herein made by me are true and correct." Any
1297 person who makes any material false statement on such application
1298 form shall be guilty of false statement and shall be subject to the
1299 penalties provided for false statement and said offense shall be
1300 deemed to have been committed in the town in which the applicant
1301 resides. No such application shall contain any material false statement.
1302 On and after January 1, 2002, permits to hunt with a bow and arrow
1303 under the provisions of this chapter shall be issued only to qualified
1304 applicants who have successfully completed the conservation

1305 education bow hunting course as specified in section 26-31 or an
1306 equivalent course in another state.

1307 Sec. 64. Subsection (c) of section 26-142a of the 2010 supplement to
1308 the general statutes is repealed and the following is substituted in lieu
1309 thereof (*Effective April 6, 2010, and applicable to all license and permit fees*
1310 *collected on or after said date*):

1311 (c) The fee for the following fishing licenses and registrations and
1312 for a commercial fishing vessel permit shall be: (1) For a license to take
1313 blue crabs for commercial purposes, one hundred fifty dollars; (2) for a
1314 license to take lobsters for personal use, but not for sale, (A) by the use
1315 of not more than ten lobster pots, traps or similar devices provided
1316 finfish may be taken incidentally during such use if taken in
1317 accordance with recreational fishery creel limits adopted under section
1318 26-159a and if taken for personal use and not for sale, or (B) by skin
1319 diving, scuba diving or by hand, [~~one hundred twenty~~] seventy-two
1320 dollars; (3) for a license to take lobsters, fish or crabs, other than blue
1321 crabs for personal use or for sale, by the use of more than ten lobster
1322 pots or similar devices, [~~one hundred ninety~~] one hundred eighty
1323 dollars for residents of this state and [~~two hundred eighty-five~~] two
1324 hundred seventy dollars for nonresidents, provided any such license
1325 issued to a resident of a state that does not issue commercial licenses
1326 conferring the same authority to take lobsters to residents of
1327 Connecticut shall be limited to the taking of crabs, other than blue
1328 crabs, and a nonresident shall not be issued such license if the laws of
1329 the nonresident's state concerning the taking of lobster are less
1330 restrictive than regulations adopted pursuant to section 26-157c; (4) for
1331 a license to take lobsters, crabs other than blue crabs, squid, sea
1332 scallops and finfish, for personal use or for sale, by the use of more
1333 than ten lobster pots or similar devices, or by the use of any otter trawl,
1334 balloon trawl, beam trawl, sea scallop dredge or similar device, [~~two~~
1335 ~~hundred eighty-five~~] two hundred seventy dollars for residents of this
1336 state and one thousand five hundred dollars for nonresidents,
1337 provided any such license issued to residents of states which do not
1338 issue commercial licenses conferring the same authority to take

lobsters to residents of Connecticut shall be limited to the taking of crabs other than blue crabs, squid, sea scallops and finfish by the use of any otter trawl, balloon trawl, beam trawl, sea scallop dredge or similar device, and a nonresident shall not be issued such license if the laws of the state of residency concerning the taking of lobster are less restrictive than regulations adopted under the authority of section 26-157c; (5) for a license to set or tend gill nets, seines, scap or scoop nets used to take American shad, [two hundred] one hundred twenty dollars; (6) for the registration of each pound net or similar device used to take finfish, two hundred eighty-five dollars, provided persons setting, operating, tending or assisting in setting, operating or tending such pound nets shall not be required to be licensed; (7) for a license to set or tend gill nets, seines, traps, fish pots, cast nets, fykes, scaps, scoops, eel pots or similar devices to take finfish other than American shad or bait species for commercial purposes, or, in any waters seaward of the inland district demarcation line, to take finfish other than American shad or bait species for commercial purposes by hook and line, or to take horseshoe crabs by hand, one hundred ninety dollars for residents of this state and two hundred fifty dollars for nonresidents, and any such license obtained for the taking of any fish species for commercial purposes by hook and line, in excess of any creel limit adopted under the authority of section 26-159a, three hundred seventy-five dollars for residents of this state and six hundred twenty-five dollars for nonresidents, provided for the taking for bait of horseshoe crabs only, this license may be issued without regard to the limitations in section 26-142b to any holder of a Department of Agriculture conch license who held such license between January 1, 1995, and July 1, 2000, inclusive; (8) for a license to set or tend seines, traps, scaps, scoops, weirs or similar devices to take bait species in the inland district for commercial purposes, one hundred dollars; (9) for a license to set or tend seines, traps, scaps, scoops or similar devices to take bait species in the marine district for commercial purposes, one hundred dollars; (10) for a license to buy finfish, lobsters, crabs, including blue crabs and horseshoe crabs, sea scallops, squid or bait species for resale from any commercial fisherman licensed to take or

land such species for commercial purposes, regardless of where taken, two hundred fifty dollars; (11) for the registration of any party boat, head boat or charter boat used for fishing, three hundred fifteen dollars; (12) for a license to land finfish, lobsters, crabs, including blue crabs and horseshoe crabs, sea scallops, squid or bait species, five hundred dollars; (13) for a commercial fishing vessel permit, one hundred dollars; (14) for a license to take menhaden from marine waters for personal use, but not for sale, by the use of a single gill net not more than sixty feet in length, [one hundred] sixty dollars; and (15) for an environmental tourism cruise vessel permit, one hundred dollars, provided the landing of any species regulated under Department of Environmental Protection regulations is prohibited.

Sec. 65. Section 13b-61c of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For the fiscal year ending June 30, 2010, the Comptroller shall transfer the sum of eighty-one million two hundred thousand dollars from the resources of the General Fund to the Special Transportation Fund.

(b) For the fiscal years ending June 30, 2011, and June 30, 2012, the Comptroller shall transfer the sum of [one hundred twenty-six million] one hundred twenty-four million nine hundred five thousand dollars from the resources of the General Fund to the Special Transportation Fund.

(c) For the fiscal year ending June 30, 2013, and annually thereafter, the Comptroller shall transfer the sum of [one hundred seventy-two million eight hundred thousand] one hundred seventy-one million seven hundred five thousand dollars from the resources of the General Fund to the Special Transportation Fund.

Sec. 66. (*Effective from passage*) Notwithstanding the provisions of sections 3-69a and 9-750 of the general statutes, from the effective date of this section to June 30, 2011, inclusive, (1) no funds received by the

1406 State Treasurer under part III of chapter 32 of the general statutes and
1407 deposited in the General Fund shall be credited to the Citizens'
1408 Election Fund established in section 9-701 of the general statutes, and
1409 (2) no revenues from the tax imposed under chapter 208 of the general
1410 statutes shall be deposited in the Citizens' Election Fund.

1411 Sec. 67. (*Effective from passage*) During the fiscal year ending June 30,
1412 2011, there shall be no passenger rate increase for the Metro North-
1413 New Haven Line unless such rate increase is approved prior to the
1414 effective date of this section.

1415 Sec. 68. (*Effective from passage*) Notwithstanding the provisions of
1416 sections 5-213, 31-277, 46b-233, 51-47, 51-287a and 51-295b of the
1417 general statutes, no longevity payment shall be made to state
1418 employees exempt from the classified service pursuant to section 5-198
1419 of the general statutes for April, 2010 or for the fiscal year ending June
1420 30, 2011.

1421 Sec. 69. (*Effective from passage*) Each collective bargaining agreement
1422 between an employer, as defined in section 5-270 of the general
1423 statutes, and an employee organization, as defined in said section 5-
1424 270, which is executed or renegotiated on or after the effective date of
1425 this section, shall specify that no longevity payment shall be made to a
1426 member of such employee organization for April, 2010 or for the fiscal
1427 year ending June 30, 2011.

1428 Sec. 70. (*Effective from passage*) (a) Notwithstanding the provisions of
1429 section 2-8 of the general statutes, for the fiscal years ending June 30,
1430 2010, to June 30, 2011, inclusive, the members and officers of the
1431 General Assembly shall receive salaries that are ten per cent less than
1432 the salaries specified in said section.

1433 (b) Notwithstanding the provisions of section 3-2 of the general
1434 statutes, for the fiscal years ending June 30, 2010, to June 30, 2011,
1435 inclusive, the Governor and the Lieutenant Governor shall receive
1436 salaries that are ten per cent less than the salaries specified in said
1437 section.

1438 (c) Notwithstanding the provisions of section 3-11 of the general
1439 statutes, for the fiscal years ending June 30, 2010, to June 30, 2011,
1440 inclusive, the Treasurer shall receive a salary that is ten per cent less
1441 than the salary specified in said section.

1442 (d) Notwithstanding the provisions of section 3-77 of the general
1443 statutes, for the fiscal years ending June 30, 2010, to June 30, 2011,
1444 inclusive, the Secretary of the State shall receive a salary that is ten per
1445 cent less than the salary specified in said section.

1446 (e) Notwithstanding the provisions of section 3-111 of the general
1447 statutes, for the fiscal years ending June 30, 2010, to June 30, 2011,
1448 inclusive, the Comptroller shall receive a salary that is ten per cent less
1449 than the salary specified in said section.

1450 (f) Notwithstanding the provisions of section 3-124 of the general
1451 statutes, for the fiscal years ending June 30, 2010, to June 30, 2011,
1452 inclusive, the Attorney General shall receive a salary that is ten per
1453 cent less than the salary specified in said section.

1454 (g) For the fiscal years ending June 30, 2010, to June 30, 2011,
1455 inclusive, the commissioners of state agencies and the executive
1456 directors of boards and commissions shall receive salaries in amounts
1457 that are ten per cent less than the amounts of the salaries they received
1458 for the fiscal year ending June 30, 2009.

1459 Sec. 71. (*Effective from passage*) (a) Notwithstanding the provisions of
1460 section 2-15 of the general statutes, no member of the General
1461 Assembly shall receive any transportation allowance during the fiscal
1462 years ending June 30, 2010, to June 30, 2011.

1463 (b) No member of the General Assembly or legislative employee
1464 shall receive payment from the state for any expenses associated with
1465 or resulting from attendance at any conference or other meeting in this
1466 state or another state or for any other travel related expense during the
1467 fiscal years ending June 30, 2010, to June 30, 2011.

1468 Sec. 72. (*Effective from passage*) Notwithstanding the provisions of
1469 section 2-15a of the general statutes, no member of the General
1470 Assembly shall be entitled to any unsolicited mailings at the expense
1471 of the state during the fiscal years ending June 30, 2010, and June 30,
1472 2011.

1473 Sec. 73. (*Effective from passage*) All active and retired state employees
1474 not included in any prevailing bargaining unit contract, including
1475 managers, confidential employees, unclassified employees, appointed
1476 officials and employees, other such nonrepresented employees and
1477 employees of boards and commissions covered by a state group
1478 hospitalization and medical and surgical insurance plan shall pay a
1479 minimum copayment of (1) ten dollars for a generic drug prescription,
1480 (2) twenty-five dollars for a preferred brand name drug, (3) forty
1481 dollars for a nonpreferred brand name drug, (4) twenty dollars for a
1482 primary care office visit, (5) thirty dollars for a specialist office visit, (6)
1483 two hundred fifty dollars for inpatient hospitalization, and (7) one
1484 hundred fifty dollars for nonemergency services provided during an
1485 emergency room visit. A nonpreferred brand name drug shall be
1486 available with a forty-dollar copayment based upon medical necessity
1487 as certified by the member's physician, in accordance with the
1488 Pharmacy Benefit Manager's process.

1489 Sec. 74. (*Effective from passage*) Each collective bargaining agreement
1490 between an employer, as defined in section 5-270 of the general
1491 statutes, and an employee organization, as defined in said section 5-
1492 270, which is executed or renegotiated on or after the effective date of
1493 this section, shall specify that employees covered by a state group
1494 hospitalization and medical and surgical insurance plan offered
1495 pursuant to such collective bargaining agreement shall pay a
1496 minimum copayment of (1) ten dollars for a generic drug prescription,
1497 (2) twenty-five dollars for a preferred brand name drug, (3) forty
1498 dollars for a nonpreferred brand name drug, (4) twenty dollars for a
1499 primary care office visit, (5) thirty dollars for a specialist office visit, (6)
1500 two hundred fifty dollars for inpatient hospitalization, and (7) one
1501 hundred fifty dollars for nonemergency services provided during an

1502 emergency room visit. A nonpreferred brand name drug shall be
1503 available with a forty-dollar copayment based upon medical necessity
1504 as certified by the member's physician, in accordance with the
1505 Pharmacy Benefit Manager's process.

1506 Sec. 75. (*Effective from passage*) Notwithstanding the provisions of
1507 chapter 67 of the general statutes, all state employees in positions
1508 exempt from the classified service pursuant to section 5-198 of the
1509 general statutes shall take one mandatory schedule reduction day each
1510 month during the period from April 1, 2010, to June 30, 2011, inclusive.
1511 The provisions of this section shall not apply during any month for
1512 which such state employees are required to take schedule reduction
1513 days pursuant to section 3 of special act 09-6.

1514 Sec. 76. (*Effective from passage*) Each collective bargaining agreement
1515 between an employer, as defined in section 5-270 of the general
1516 statutes, and an employee organization, as defined in said section 5-
1517 270, which is executed or renegotiated on or after the effective date of
1518 this section, shall specify that employees take one mandatory schedule
1519 reduction day each month during the period from April 1, 2010, to
1520 June 30, 2011, inclusive, except for those months for which state
1521 employees are required to take schedule reduction days pursuant to
1522 section 3 of special act 09-6.

1523 Sec. 77. (NEW) (*Effective from passage*) Notwithstanding chapter 62 of
1524 the general statutes, the Commissioner of Motor Vehicles shall begin
1525 procedures to privatize services for renewals of passenger
1526 registrations, as defined in section 14-1 of the general statutes, and
1527 noncommercial motor vehicle operator's licenses. Such privatization of
1528 services shall be completed on or before July 1, 2010.

1529 Sec. 78. (NEW) (*Effective from passage*) Notwithstanding chapter 62 of
1530 the general statutes, the Secretary of the Office of Policy and
1531 Management shall, in consultation with the Commissioners of the
1532 Department of Developmental Services, Mental Health and Addiction
1533 Services, Social Services and Children and Families, or their successor

1534 agencies, submit a plan to the General Assembly not later than July 1,
1535 2010, to reduce expenditures for Personal Services by \$50,000,000
1536 through the privatization of services for the fiscal year ending June 30,
1537 2011. If the General Assembly fails to vote to approve or reject such
1538 plan within thirty days after such plan has been submitted, such plan
1539 shall be deemed approved. If the General Assembly modifies such
1540 plan, the secretary shall implement the plan as modified. If the General
1541 Assembly rejects such plan, the secretary shall submit a revised plan
1542 for approval not later than thirty days after such rejection and, upon
1543 any subsequent rejections, shall continue to submit revised plans until
1544 a plan is approved.

1545 Sec. 79. (NEW) (*Effective from passage*) The Secretary of the Office of
1546 Policy and Management shall immediately begin planning the state
1547 agency and quasi-public agency consolidations required under this act,
1548 in consultation with the executive heads of the agencies affected by
1549 such consolidations. The secretary shall submit monthly reports to the
1550 General Assembly on the secretary's progress in implementing such
1551 consolidations, in accordance with the provisions of section 11-4a of
1552 the general statutes.

1553 Sec. 80. (NEW) (*Effective October 1, 2010*) (a) There is established a
1554 Department of Human Services. The department head shall be the
1555 Commissioner of Human Services, who shall be appointed by the
1556 Governor, in accordance with the provisions of sections 4-5 to 4-8,
1557 inclusive, of the general statutes, with the powers and duties therein
1558 prescribed.

1559 (b) The Department of Human Services shall constitute a successor
1560 department to the Department of Public Health, the Department of
1561 Children and Families, the Department of Developmental Services, the
1562 Department of Mental Health and Addiction Services and the
1563 Department of Social Services in accordance with the provisions of
1564 sections 4-38d and 4-39 of the general statutes.

1565 (c) Whenever the words "Commissioner of Public Health",

1566 "Commissioner of Children and Families", "Commissioner of
1567 Developmental Services", "Commissioner of Mental Health and
1568 Addiction Services" and "Commissioner of Social Services" are used in
1569 the general statutes, the words "Commissioner of Human Services"
1570 shall be substituted in lieu thereof. Wherever the words "Department
1571 of Public Health", "Department of Children and Families",
1572 "Department of Developmental Services", "Department of Mental
1573 Health and Addiction Services" and "Department of Social Services"
1574 are used in the general statutes, the words "Department of Human
1575 Services" shall be substituted in lieu thereof.

1576 (d) Any order or regulation of the Department of Public Health, the
1577 Department of Children and Families, the Department of
1578 Developmental Services, the Department of Mental Health and
1579 Addiction Services and the Department of Social Services that is in
1580 force on October 1, 2010, shall continue in force and effect as an order
1581 or regulation of the Department of Human Services until amended,
1582 repealed or superseded pursuant to law. Where any order or
1583 regulation of said departments conflict, the Commissioner of Human
1584 Services may implement policies and procedures consistent with the
1585 provisions of this act while in the process of adopting the policy or
1586 procedure in regulation form, provided notice of intention to adopt the
1587 regulations is printed in the Connecticut Law Journal within twenty
1588 days of implementation. The policy or procedure shall be valid until
1589 the time the final regulations are effective.

1590 Sec. 81. Subsection (a) of section 1-101aa of the 2010 supplement to
1591 the general statutes is repealed and the following is substituted in lieu
1592 thereof (*Effective October 1, 2010*):

1593 (a) As used in this section, "department" means the [Department of
1594 Developmental Services, the Department of Mental Health and
1595 Addiction Services or the Department of Public Health] Department of
1596 Human Services, and "provider" means any independent contractor or
1597 private agency under contract with the department to provide services.

1598 Sec. 82. Section 1-217 of the general statutes is repealed and the
1599 following is substituted in lieu thereof (*Effective October 1, 2010*):

1600 (a) No public agency may disclose, under the Freedom of
1601 Information Act, the residential address of any of the following
1602 persons:

1603 (1) A federal court judge, federal court magistrate, judge of the
1604 Superior Court, Appellate Court or Supreme Court of the state, or
1605 family support magistrate;

1606 (2) A sworn member of a municipal police department, a sworn
1607 member of the Division of State Police within the Department of Public
1608 Safety or a sworn law enforcement officer within the Department of
1609 Environmental Protection;

1610 (3) An employee of the Department of Correction;

1611 (4) An attorney-at-law who represents or has represented the state
1612 in a criminal prosecution;

1613 (5) An attorney-at-law who is or has been employed by the Public
1614 Defender Services Division or a social worker who is employed by the
1615 Public Defender Services Division;

1616 (6) An inspector employed by the Division of Criminal Justice;

1617 (7) A firefighter;

1618 (8) An employee of the Department of [Children and Families]
1619 Human Services;

1620 (9) A member or employee of the Board of Pardons and Paroles;

1621 (10) An employee of the judicial branch; or

1622 [(11) An employee of the Department of Mental Health and
1623 Addiction Services who provides direct care to patients; or]

1624 [(12)] (11) A member or employee of the Commission on Human
1625 Rights and Opportunities.

1626 (b) The business address of any person described in this section
1627 shall be subject to disclosure under section 1-210. The provisions of this
1628 section shall not apply to Department of Motor Vehicles records
1629 described in section 14-10.

1630 Sec. 83. Section 4-5 of the 2010 supplement to the general statutes is
1631 repealed and the following is substituted in lieu thereof (*Effective*
1632 *October 1, 2010*):

1633 As used in sections 4-6, 4-7 and 4-8, the term "department head"
1634 means Secretary of the Office of Policy and Management,
1635 Commissioner of Administrative Services, Commissioner of Revenue
1636 Services, Banking Commissioner, [Commissioner of Children and
1637 Families,] Commissioner of Consumer Protection, Commissioner of
1638 Correction, Commissioner of Economic and Community Development,
1639 State Board of Education, Commissioner of Emergency Management
1640 and Homeland Security, Commissioner of Environmental Protection,
1641 Commissioner of Agriculture, Commissioner of [Public Health]
1642 Human Services, Insurance Commissioner, Labor Commissioner,
1643 Liquor Control Commission, [Commissioner of Mental Health and
1644 Addiction Services,] Commissioner of Public Safety, [Commissioner of
1645 Social Services, Commissioner of Developmental Services,]
1646 Commissioner of Motor Vehicles, Commissioner of Transportation,
1647 Commissioner of Public Works, Commissioner of Veterans' Affairs,
1648 Chief Information Officer, the chairperson of the Public Utilities
1649 Control Authority, the executive director of the Board of Education
1650 and Services for the Blind, the executive director of the Connecticut
1651 Commission on Culture and Tourism, and the executive director of the
1652 Office of Military Affairs. As used in sections 4-6 and 4-7, "department
1653 head" also means the Commissioner of Education.

1654 Sec. 84. Section 4-38c of the general statutes is repealed and the
1655 following is substituted in lieu thereof (*Effective October 1, 2010*):

1656 There shall be within the executive branch of state government the
1657 following departments: Office of Policy and Management, Department
1658 of Administrative Services, Department of Revenue Services,
1659 Department of Banking, Department of Agriculture, [Department of
1660 Children and Families,] Department of Consumer Protection,
1661 Department of Correction, Department of Economic and Community
1662 Development, State Board of Education, Department of Emergency
1663 Management and Homeland Security, Department of Environmental
1664 Protection, [Department of Public Health,] Board of Governors of
1665 Higher Education, Department of Human Services, Insurance
1666 Department, Labor Department, [Department of Mental Health and
1667 Addiction Services, Department of Developmental Services,]
1668 Department of Public Safety, [Department of Social Services,]
1669 Department of Transportation, Department of Motor Vehicles,
1670 Department of Veterans' Affairs, Department of Public Works and
1671 Department of Public Utility Control.

1672 Sec. 85. Section 4-60i of the general statutes is repealed and the
1673 following is substituted in lieu thereof (*Effective October 1, 2010*):

1674 The Commissioner of [Social] Human Services shall (1) develop,
1675 throughout the Departments of [Developmental Services, Public
1676 Health,] Human Services and Correction, [Children and Families and
1677 Mental Health and Addiction Services,] uniform management
1678 information, uniform statistical information, uniform terminology for
1679 similar facilities and uniform regulations for the licensing of human
1680 services facilities, (2) plan for increased participation of the private
1681 sector in the delivery of human services, (3) provide direction and
1682 coordination to federally funded programs in the human services
1683 agencies and recommend uniform system improvements and
1684 reallocation of physical resources and designation of a single
1685 responsibility across human services agencies lines to eliminate
1686 duplication.

1687 Sec. 86. Section 4-61aa of the general statutes is repealed and the
1688 following is substituted in lieu thereof (*Effective October 1, 2010*):

1689 (a) There is established a committee to encourage the employment
1690 by the state of persons with disabilities. The Commissioner of
1691 Administrative Services shall appoint the members of the committee,
1692 which shall be chaired by such commissioner, or his designee, and
1693 include one representative of each of the following:

1694 (1) The Board of Education and Services to the Blind;

1695 (2) The Commission on the Deaf and Hearing Impaired;

1696 (3) The Bureau of Rehabilitative Services;

1697 (4) The Office of Protection and Advocacy for Persons with
1698 Disabilities;

1699 (5) The Department of [Mental Health and Addiction] Human
1700 Services; and

1701 [(6) The Department of Developmental Services; and]

1702 [(7)] (6) The Labor Department.

1703 (b) The committee shall:

1704 (1) Advise, and develop written guidelines for, the Commissioner of
1705 Administrative Services and the executive heads of other state agencies
1706 regarding the adaptation of employment examinations and alternative
1707 hiring processes for, and the reasonable accommodation of, persons
1708 with disabilities; and

1709 (2) Review the program established under subsection (b) of section
1710 4-61u and compliance with the provisions of section 46a-70 concerning
1711 persons with physical disabilities.

1712 Sec. 87. Subsection (a) of section 4-61cc of the general statutes is
1713 repealed and the following is substituted in lieu thereof (*Effective*
1714 *October 1, 2010*):

1715 (a) Notwithstanding any provision of the general statutes, each

1716 executive branch agency, department, board, commission or official,
1717 other than the Department of [Public Health] Human Services or the
1718 State Board of Education, responsible for the issuance of a license,
1719 certificate, permit or registration required by the general statutes for
1720 the practice of a profession shall renew the license, certificate, permit
1721 or registration issued to an individual which expires while the
1722 individual is (1) on active duty in the armed forces of the United
1723 States, or (2) a member of the National Guard when ordered out by the
1724 Governor for military service. Such renewal shall be valid for a period
1725 of one year from the date of such individual's discharge from active
1726 duty or ordered military service, or until the date the individual
1727 successfully renews the license in accordance with this section and the
1728 general statutes, whichever occurs first. Such individual applying for
1729 renewal of a license, certificate, permit or registration shall submit to
1730 the agency, department, board, commission or official such
1731 documentation as may be required by such agency, department, board,
1732 commission or official.

1733 Sec. 88. Section 4-66d of the general statutes is repealed and the
1734 following is substituted in lieu thereof (*Effective October 1, 2010*):

1735 (a) The Secretary of the Office of Policy and Management shall
1736 develop a standardized form of notice for the [Departments of Social
1737 Services, Children and Families, Developmental Services and Mental
1738 Health and Addiction Services] Department of Human Services for the
1739 purpose of disclosing to an applicant or recipient of care or support, or
1740 the legally liable relative, as defined in subsection (c) of section 4a-12,
1741 of a person receiving care or support, the possibility of liability for
1742 reimbursement of any amount paid by the state on behalf of the care or
1743 support of an applicant, recipient or child. Said form shall include the
1744 following: (1) Whether payments required are full or partial payment
1745 of moneys owed to the department; (2) that the applicant or recipient
1746 of care or support, or the legally liable relative may be liable for the
1747 entire cost of care or support; and (3) that upon request, at the end of
1748 care or support, itemization of costs and list of services provided. Said
1749 form may be included in an application for care or support.

1750 (b) The [Departments of Social Services, Children and Families,
1751 Developmental Services and Mental Health and Addiction Services]
1752 Department of Human Services shall provide the form of notice
1753 established pursuant to subsection (a) of this section to all applicants
1754 or recipients of care or support or the legally liable relatives, as defined
1755 in subsection (c) of section 4a-12, of a child receiving care or support, if
1756 the whereabouts of such relatives are known.

1757 Sec. 89. Subsection (a) of section 4-67x of the 2010 supplement to the
1758 general statutes is repealed and the following is substituted in lieu
1759 thereof (*Effective October 1, 2010*):

1760 (a) There shall be a Child Poverty and Prevention Council consisting
1761 of the following members or their designees: The Secretary of the
1762 Office of Policy and Management, the president pro tempore of the
1763 Senate, the speaker of the House of Representatives, the minority
1764 leader of the Senate and the minority leader of the House of
1765 Representatives, the Commissioners of [Children and Families, Social]
1766 Human Services, Correction, [Developmental Services, Mental Health
1767 and Addiction Services,] Transportation, [Public Health,] Education,
1768 Economic and Community Development and Health Care Access, the
1769 Labor Commissioner, the Chief Court Administrator, the chairperson
1770 of the Board of Governors of Higher Education, the Child Advocate,
1771 the chairperson of the Children's Trust Fund Council and the executive
1772 directors of the Commission on Children and the Commission on
1773 Human Rights and Opportunities. The Secretary of the Office of Policy
1774 and Management, or the secretary's designee, shall be the chairperson
1775 of the council. The council shall (1) develop and promote the
1776 implementation of a ten-year plan, to begin June 8, 2004, to reduce the
1777 number of children living in poverty in the state by fifty per cent, and
1778 (2) within available appropriations, establish prevention goals and
1779 recommendations and measure prevention service outcomes in
1780 accordance with this section in order to promote the health and well-
1781 being of children and families.

1782 Sec. 90. Section 4a-16 of the 2010 supplement to the general statutes

1783 is repealed and the following is substituted in lieu thereof (*Effective*
1784 *October 1, 2010*):

1785 When any person supported or cared for by the state under a
1786 program of public assistance or in an institution maintained by the
1787 Department [of Developmental Services or Department of Mental
1788 Health and Addiction] Human Services, or when an inmate of the
1789 Department of Correction, or when any child committed to the
1790 Commissioner of [Social Services or Commissioner of Children and
1791 Families] Human Services dies leaving only personal estate, including
1792 personal assets owing and due the estate after death, not exceeding the
1793 aggregate value, as described in section 45a-273, the Commissioner of
1794 Administrative Services or the commissioner's authorized
1795 representative shall, upon filing with the probate court having
1796 jurisdiction of such estate a certificate that the total estate is under the
1797 aggregate value, as described in section 45a-273, and the claim of the
1798 state, together with the expense of last illness not exceeding three
1799 hundred seventy-five dollars and funeral and burial expenses in
1800 accordance with section 17b-84, equals or exceeds the amount of such
1801 estate, be issued a certificate by said court that the commissioner is the
1802 legal representative of such estate only for the following purpose. The
1803 commissioner shall have authority to claim such estate, the
1804 commissioner's receipt for the same to be a valid discharge of the
1805 liability of any person turning over the same, and to settle the same by
1806 payment of the expense of last illness not exceeding three hundred
1807 seventy-five dollars, expense of funeral and burial in accordance with
1808 section 17b-84 and the remainder as partial or full reimbursement of
1809 the claim of the state for care or assistance rendered to the decedent.
1810 The commissioner shall file with said probate court a statement of the
1811 settlement of such estate as herein provided.

1812 Sec. 91. Section 4-77a of the general statutes is repealed and the
1813 following is substituted in lieu thereof (*Effective October 1, 2010*):

1814 The estimates of expenditure requirements transmitted by the
1815 administrative head of each budgeted agency to the Secretary of the

1816 Office of Policy and Management, pursuant to section 4-77, shall
1817 include an estimate of the amount required by such agency for the
1818 payment of the workers' compensation claims of the employees of each
1819 such agency. Appropriations which are recommended in the budget
1820 document transmitted by the Governor in the odd-numbered years or
1821 the status report transmitted by the Governor in the even-numbered
1822 years to the General Assembly pursuant to section 4-71 or contained in
1823 the state budget act or any deficiency bill, as provided in section 2-36,
1824 for the payment of such claims shall be made as follows: (1) For the
1825 Departments of [Developmental Services, Mental Health and
1826 Addiction] Human Services, Correction, Transportation [,] and Public
1827 Safety, [and Children and Families,] directly to said agencies; and (2)
1828 for all other budgeted state agencies, to the Department of
1829 Administrative Services which shall maintain an account for payment
1830 of workers' compensation claims.

1831 Sec. 92. Subsection (d) of section 4a-12 of the general statutes is
1832 repealed and the following is substituted in lieu thereof (*Effective*
1833 *October 1, 2010*):

1834 (d) Notwithstanding the provisions of subsection (c) of this section,
1835 no liability shall be imposed upon a liable relative upon determination
1836 by the Department of [Developmental Services, Social Services,
1837 Children and Families, Mental Health and Addiction Services or Public
1838 Health] Human Services that the benefit of the assistance or service
1839 provided would be significantly impaired by the imposition of such
1840 liability. Each such department may waive all or part of any liability
1841 resulting from its delay in establishing such liability if it determines
1842 that imposition of such liability would pose a significant financial
1843 hardship upon a liable relative.

1844 Sec. 93. Subdivision (1) of subsection (a) of section 4a-82 of the
1845 general statutes is repealed and the following is substituted in lieu
1846 thereof (*Effective October 1, 2010*):

1847 (1) "Person with a disability" means any individual with a disability,

1848 excluding blindness, as such term is applied by the Department of
1849 [Mental Health and Addiction Services, the Department of
1850 Developmental] Human Services, the Bureau of Rehabilitation Services
1851 within the Department of [Social] Human Services or the Veterans'
1852 Administration and who is certified by the Bureau of Rehabilitation
1853 Services within the Department of [Social] Human Services as
1854 qualified to participate in a qualified partnership, as described in
1855 subsections (f) to (m), inclusive, of this section;

1856 Sec. 94. Section 8-3e of the general statutes is repealed and the
1857 following is substituted in lieu thereof (*Effective October 1, 2010*):

1858 (a) No zoning regulation shall treat the following in a manner
1859 different from any single family residence: (1) Any community
1860 residence that houses six or fewer mentally retarded persons and
1861 necessary staff persons and that is licensed under the provisions of
1862 section 17a-227, (2) any child-care residential facility that houses six or
1863 fewer children with mental or physical disabilities and necessary staff
1864 persons and that is licensed under sections 17a-145 to 17a-151,
1865 inclusive, or (3) any community residence that houses six or fewer
1866 persons receiving mental health or addiction services and necessary
1867 staff persons paid for or provided by the Department of [Mental
1868 Health and Addiction] Human Services and that has been issued a
1869 license by [the Department of Public Health] such department under
1870 the provisions of section 19a-491, if a license is required.

1871 (b) Any resident of a municipality in which such a community
1872 residence or child-care residential facility is located may, with the
1873 approval of the legislative body of such municipality, petition the
1874 Commissioner of Human Services to (1) [the Commissioner of
1875 Developmental Services to] revoke the license of such community
1876 residence on the grounds that such community residence is not in
1877 compliance with the provisions of any statute or regulation concerning
1878 the operation of such residences, (2) [the Commissioner of Children
1879 and Families to] revoke the license of such child-care residential
1880 facility on the grounds that such child-care residential facility is not in

1881 compliance with the provision of any general statute or regulation
1882 concerning the operation of such child-care residential facility, or (3)
1883 [the Commissioner of Mental Health and Addiction Services to]
1884 withdraw funding from such community residence on the grounds
1885 that such community residence is not in compliance with the
1886 provisions of any general statute or regulation adopted thereunder
1887 concerning the operation of a community residence.

1888 Sec. 95. Section 8-206d of the general statutes is repealed and the
1889 following is substituted in lieu thereof (*Effective October 1, 2010*):

1890 The Commissioner of Economic and Community Development shall
1891 administer an emergency fuel assistance program to provide: (1)
1892 Emergency fuel assistance on behalf of private, nonprofit group homes
1893 and halfway houses receiving state aid and licensed by or under
1894 contract with the [Department of Public Health, the Department of
1895 Children and Families, the Department of Mental Health and
1896 Addiction Services, the] Department of Correction or the Department
1897 of [Developmental] Human Services, provided no group home or
1898 halfway house shall receive emergency fuel assistance in excess of one
1899 thousand dollars unless the commissioner finds additional assistance
1900 is necessary to protect the health and safety of the residents of such
1901 group home or halfway house; (2) grants to municipalities for
1902 emergency fuel assistance to receivers of rents appointed pursuant to
1903 section 47a-56a, to prevent and respond to abandonment by landlords
1904 of tenant-occupied dwelling units, provided no municipality shall
1905 receive an amount in excess of one thousand five hundred dollars for
1906 each receivership established within such municipality unless the
1907 commissioner finds additional assistance is necessary to protect the
1908 health and safety of the residents of such dwelling units; and (3)
1909 emergency fuel assistance to housing authorities for state-financed
1910 housing projects, for fuel costs incurred after October 1, 1979. The
1911 commissioner shall adopt regulations, in accordance with the
1912 provisions of chapter 54, establishing eligibility criteria for the
1913 distribution of state funds appropriated to the Department of
1914 Economic and Community Development for such program. The

1915 commissioner may, in his discretion and based on his determination of
1916 need, allocate any funds appropriated for the purposes of this section
1917 among group homes and halfway houses, municipalities and housing
1918 authorities.

1919 Sec. 96. Section 10-16y of the 2010 supplement to the general statutes
1920 is repealed and the following is substituted in lieu thereof (*Effective*
1921 *October 1, 2010*):

1922 There shall be an Office of Early Childhood Planning, Outreach and
1923 Coordination within the Department of Education. The office shall be
1924 responsible for:

1925 (1) Planning, developing and coordinating with other agencies the
1926 delivery of services to children birth to nine years of age, inclusive;

1927 (2) Coordinating the enhancement and implementation of the Early
1928 Childhood Information System, in consultation with the Early
1929 Childhood Education Cabinet pursuant to section 10-16z, with the
1930 capability of tracking: (A) The health, safety and school readiness of all
1931 children receiving early care and education from any local or regional
1932 board of education or any program receiving public funding, in a
1933 manner similar to the system described in section 10-10a; (B) the
1934 characteristics of the existing and potential workforce serving such
1935 children in any local or regional school district or in a program
1936 receiving any public funding; and (C) the characteristics of the
1937 programs in which such children are served. The Department of
1938 Education shall be responsible for assigning unique identifiers to all
1939 such children and staff and programs tracked by the Early Childhood
1940 Information System. Any local or regional board of education, school
1941 readiness program, as defined in subdivision (1) of subsection (a) of
1942 section 10-16p receiving any public funding, or any child day care
1943 center described in subdivision (1) of section 19a-77 and licensed by
1944 the Department of [Public Health] Human Services, including any
1945 participating in a program administered by [the Department of Social
1946 Services] such department pursuant to chapter 319rr, shall ensure that

1947 all children and all staff in such center or program are entered into the
1948 Early Childhood Information System;

1949 (3) Developing and reporting on an early childhood accountability
1950 plan, in consultation with the Early Childhood Education Cabinet;

1951 (4) Implementing a communications strategy for outreach to
1952 families, service providers and policymakers;

1953 (5) Beginning a state-wide longitudinal evaluation of the school
1954 readiness program, not later than January 1, 2010, in consultation with
1955 the Department of [Social] Human Services, that examines the
1956 educational progress of children from prekindergarten programs to
1957 grade four, inclusive, including a study of the reliability and validity of
1958 the kindergarten assessment tool developed pursuant to subsection (h)
1959 of section 10-14n; and

1960 (6) Developing, coordinating and supporting public and private
1961 partnerships to aid early childhood initiatives.

1962 Sec. 97. Subsection (a) of section 10-16z of the 2010 supplement to
1963 the general statutes is repealed and the following is substituted in lieu
1964 thereof (*Effective October 1, 2010*):

1965 (a) There is established the Early Childhood Education Cabinet. The
1966 cabinet shall consist of: (1) The Commissioner of Education, or the
1967 commissioner's designee, (2) one representative from the Department
1968 of Education who is responsible for programs required under the
1969 Individuals With Disabilities Education Act, 20 USC 1400 et seq., as
1970 amended from time to time, appointed by the Commissioner of
1971 Education, (3) [the Commissioner of Social Services, or the
1972 commissioner's designee, (4)] a representative from an institution of
1973 higher education in this state appointed by the Commissioner of
1974 Higher Education, [(5) the Commissioner of Public Health, or the
1975 commissioner's designee, (6) the Commissioner of Developmental
1976 Services, or the commissioner's designee, (7) the Commissioner of
1977 Mental Health and Addiction Services, or the commissioner's designee,

1978 (8)] (4) the Commissioner of Human Services, or the commissioner's
1979 designee, (5) the executive director of the Commission on Children, or
1980 the executive director's designee, [(9)] (6) the project director of the
1981 Connecticut Head Start State Collaboration Office, [(10)] (7) a
1982 representative from a Head Start program appointed by the minority
1983 leader of the House of Representatives, [(11)] (8) a representative of a
1984 local provider of early childhood education appointed by the minority
1985 leader of the Senate, [(12)] (9) two appointed by the speaker of the
1986 House of Representatives, one of whom is a member of the House of
1987 Representatives and one of whom is a parent who has a child
1988 attending a school in a priority school district, [(13)] (10) two
1989 appointed by the president pro tempore of the Senate, one of whom is
1990 a member of the Senate and one of whom is a representative of a
1991 public elementary school with a prekindergarten program, [(14)] (11) a
1992 representative of the business or philanthropic community in this state
1993 appointed by the Governor, and [(15)] (12) the Secretary of the Office
1994 of Policy and Management, or the secretary's designee. The
1995 chairperson of the council shall be appointed from among its members
1996 by the Governor.

1997 Sec. 98. Subsection (a) of section 10-19 of the general statutes is
1998 repealed and the following is substituted in lieu thereof (*Effective*
1999 *October 1, 2010*):

2000 (a) The knowledge, skills and attitudes required to understand and
2001 avoid the effects of alcohol, of nicotine or tobacco and of drugs, as
2002 defined in subdivision (17) of section 21a-240, on health, character,
2003 citizenship and personality development shall be taught every
2004 academic year to pupils in all grades in the public schools; and, in
2005 teaching such subjects, textbooks and such other materials as are
2006 necessary shall be used. Annually, at such time and in such manner as
2007 the Commissioner of Education shall request, each local and regional
2008 board of education shall attest to the State Board of Education that all
2009 pupils enrolled in its schools have been taught such subjects pursuant
2010 to this subsection and in accordance with a planned, ongoing and
2011 systematic program of instruction. The content and scheduling of

2012 instruction shall be within the discretion of the local or regional board
2013 of education. Institutions of higher education approved by the State
2014 Board of Education to train teachers shall give instruction on the
2015 subjects prescribed in this section and concerning the best methods of
2016 teaching the same. The State Board of Education and the Board of
2017 Governors of Higher Education in consultation with the Commissioner
2018 of [Mental Health and Addiction Services and the Commissioner of
2019 Public Health] Human Services shall develop health education or other
2020 programs for elementary and secondary schools and for the training of
2021 teachers, administrators and guidance personnel with reference to
2022 understanding and avoiding the effects of nicotine or tobacco, alcohol
2023 and drugs.

2024 Sec. 99. Subsection (e) of section 10-76d of the 2010 supplement to
2025 the general statutes is repealed and the following is substituted in lieu
2026 thereof (*Effective October 1, 2010*):

2027 (e) (1) Any local or regional board of education which provides
2028 special education pursuant to any mandates in this section shall
2029 provide transportation, to and from, but not beyond the curb of, the
2030 residence of the child, unless otherwise agreed upon by the board and
2031 the parent or guardian of the child, tuition, room and board and other
2032 items necessary to the provision of such special education except for
2033 children who are placed in a residential facility because they need
2034 services other than educational services, in which case the financial
2035 responsibility of the school district and payment to such district shall
2036 be limited to the reasonable costs of special education instruction as
2037 defined in the regulations of the State Board of Education. If a hearing
2038 board, pursuant to subsection (d) of section 10-76h, rejects the
2039 educational program prescribed by the local or regional board of
2040 education and determines that a placement by a parent or guardian
2041 was appropriate, the local or regional board of education shall
2042 reimburse the parent or guardian for the reasonable costs incurred for
2043 the provision of special education pursuant to this section from the
2044 initiation of review procedures as provided by said section 10-76h.

2045 (2) For purposes of this subdivision, "public agency" includes the
2046 offices of a government of a federally recognized Native American
2047 tribe. Notwithstanding any other provisions of the general statutes, for
2048 the fiscal year ending June 30, 1987, and each fiscal year thereafter,
2049 whenever a public agency, other than a local or regional board of
2050 education, the State Board of Education or the Superior Court acting
2051 pursuant to section 10-76h, places a child in a foster home, group
2052 home, hospital, state institution, receiving home, custodial institution
2053 or any other residential or day treatment facility, and such child
2054 requires special education, the local or regional board of education
2055 under whose jurisdiction the child would otherwise be attending
2056 school or, if no such board can be identified, the local or regional board
2057 of education of the town where the child is placed, shall provide the
2058 requisite special education and related services to such child in
2059 accordance with the provisions of this section. Within one business day
2060 of such a placement by the Department of [Children and Families]
2061 Human Services or offices of a government of a federally recognized
2062 Native American tribe, said department or offices shall orally notify
2063 the local or regional board of education responsible for providing
2064 special education and related services to such child of such placement.
2065 The department or offices shall provide written notification to such
2066 board of such placement within two business days of the placement.
2067 Such local or regional board of education shall convene a planning and
2068 placement team meeting for such child within thirty days of the
2069 placement and shall invite a representative of the Department of
2070 [Children and Families] Human Services or offices of a government of
2071 a federally recognized Native American tribe to participate in such
2072 meeting. (A) The local or regional board of education under whose
2073 jurisdiction such child would otherwise be attending school shall be
2074 financially responsible for the reasonable costs of such special
2075 education and related services in an amount equal to the lesser of one
2076 hundred per cent of the costs of such education or the average per
2077 pupil educational costs of such board of education for the prior fiscal
2078 year, determined in accordance with the provisions of subsection (a) of
2079 section 10-76f. The State Board of Education shall pay on a current

2080 basis, except as provided in subdivision (3) of this subsection, any
2081 costs in excess of such local or regional board's basic contributions paid
2082 by such board of education in accordance with the provisions of this
2083 subdivision. (B) Whenever a child is placed pursuant to this
2084 subdivision, on or after July 1, 1995, by the Department of [Children
2085 and Families] Human Services and the local or regional board of
2086 education under whose jurisdiction such child would otherwise be
2087 attending school cannot be identified, the local or regional board of
2088 education under whose jurisdiction the child attended school or in
2089 whose district the child resided at the time of removal from the home
2090 by said department shall be responsible for the reasonable costs of
2091 special education and related services provided to such child, for one
2092 calendar year or until the child is committed to the state pursuant to
2093 section 46b-129 or 46b-140 or is returned to the child's parent or
2094 guardian, whichever is earlier. If the child remains in such placement
2095 beyond one calendar year the Department of [Children and Families]
2096 Human Services shall be responsible for such costs. During the period
2097 the local or regional board of education is responsible for the
2098 reasonable cost of special education and related services pursuant to
2099 this subparagraph, the board shall be responsible for such costs in an
2100 amount equal to the lesser of one hundred per cent of the costs of such
2101 education and related services or the average per pupil educational
2102 costs of such board of education for the prior fiscal year, determined in
2103 accordance with the provisions of subsection (a) of section 10-76f. The
2104 State Board of Education shall pay on a current basis, except as
2105 provided in subdivision (3) of this subsection, any costs in excess of
2106 such local or regional board's basic contributions paid by such board of
2107 education in accordance with the provisions of this subdivision. The
2108 costs for services other than educational shall be paid by the state
2109 agency which placed the child. The provisions of this subdivision shall
2110 not apply to the school districts established within the Department of
2111 [Children and Families] Human Services, pursuant to section 17a-37 [,]
2112 or section 17a-240 or the Department of Correction, pursuant to section
2113 18-99a, [or the Department of Developmental Services, pursuant to
2114 section 17a-240,] provided in any case in which special education is

2115 being provided at a private residential institution, including the
2116 residential components of regional educational service centers, to a
2117 child for whom no local or regional board of education can be found
2118 responsible under subsection (b) of this section, Unified School District
2119 #2 shall provide the special education and related services and be
2120 financially responsible for the reasonable costs of such special
2121 education instruction for such children. Notwithstanding the
2122 provisions of this subdivision, for the fiscal years ending June 30, 2004,
2123 to June 30, 2007, inclusive, and for the fiscal years ending June 30, 2010,
2124 and June 30, 2011, the amount of the grants payable to local or regional
2125 boards of education in accordance with this subdivision shall be
2126 reduced proportionately if the total of such grants in such year exceeds
2127 the amount appropriated for the purposes of this subdivision for such
2128 year.

2129 (3) Payment for children who require special education and who
2130 reside on state-owned or leased property or in permanent family
2131 residences as defined in section 17a-154, and who are not the
2132 educational responsibility of the unified school districts established
2133 pursuant to section 17a-37, section 17a-240 or section 18-99a, shall be
2134 made in the following manner: The State Board of Education shall pay
2135 to the school district which is responsible for providing instruction for
2136 each such child pursuant to the provisions of this subsection one
2137 hundred per cent of the reasonable costs of such instruction. In the
2138 fiscal year following such payment, the State Board of Education shall
2139 deduct from the special education grant due the local or regional board
2140 of education under whose jurisdiction the child would otherwise be
2141 attending school, where such board has been identified, the amount
2142 for which such board would otherwise have been financially
2143 responsible pursuant to the provisions of subdivision (2) of this
2144 subsection. No such deduction shall be made for any school district
2145 which is responsible for providing special education instruction for
2146 children whose parents or legal guardians do not reside within such
2147 district. The amount deducted shall be included as a net cost of special
2148 education by the Department of Education for purposes of the state's

2149 special education grant calculated pursuant to section 10-76g. A school
2150 district otherwise eligible for reimbursement under the provisions of
2151 this subdivision for the costs of education of a child residing in a
2152 permanent family residence shall continue to be so eligible in the event
2153 that a person providing foster care in such residence adopts the child.
2154 Notwithstanding the provisions of this subdivision, for the fiscal years
2155 ending June 30, 2004, and June 30, 2005, the amount of the grants
2156 payable to local or regional boards of education in accordance with
2157 this subdivision shall be reduced proportionately if the total of such
2158 grants in such year exceeds the amount appropriated for the purposes
2159 of this subdivision for such year.

2160 (4) Notwithstanding any other provision of this section, the
2161 Department of [Mental Health and Addiction] Human Services shall
2162 provide regular education and special education and related services
2163 to eligible residents in facilities operated by the department who are
2164 eighteen to twenty-one years of age. In the case of a resident who
2165 requires special education, the department shall provide the requisite
2166 identification and evaluation of such resident in accordance with the
2167 provisions of this section. The department shall be financially
2168 responsible for the provision of educational services to eligible
2169 residents. The Departments of [Mental Health and Addiction Services,
2170 Children and Families] Human Services and Education shall develop
2171 and implement an interagency agreement which specifies the role of
2172 each agency in ensuring the provision of appropriate education
2173 services to eligible residents in accordance with this section. The State
2174 Board of Education shall pay to the Department of [Mental Health and
2175 Addiction] Human Services one hundred per cent of the reasonable
2176 costs of such educational services provided to eligible residents of such
2177 facilities. Payment shall be made by the board as follows: Eighty-five
2178 per cent of the estimated cost in July and the adjusted balance in May.

2179 (5) Application for the grant to be paid by the state for costs in
2180 excess of the local or regional board of education's basic contribution
2181 shall be made by such board of education by filing with the State
2182 Board of Education, in such manner as prescribed by the

2183 Commissioner of Education, annually on or before December first a
2184 statement of the cost of providing special education, as defined in
2185 subdivision (2) of this subsection, for a child of the board placed by a
2186 state agency in accordance with the provisions of said subdivision or,
2187 where appropriate, a statement of the cost of providing educational
2188 services other than special educational services pursuant to the
2189 provisions of subsection (b) of section 10-253, provided a board of
2190 education may submit, not later than March first, claims for additional
2191 children or costs not included in the December filing. Payment by the
2192 state for such excess costs shall be made to the local or regional board
2193 of education as follows: Seventy-five per cent of the cost in February
2194 and the balance in May. The amount due each town pursuant to the
2195 provisions of this subsection and the amount due to each town as
2196 tuition from other towns pursuant to this section shall be paid to the
2197 treasurer of each town entitled to such aid, provided the treasurer shall
2198 treat such grant or tuition received, or a portion of such grant or
2199 tuition, which relates to special education expenditures incurred
2200 pursuant to subdivisions (2) and (3) of this subsection in excess of such
2201 board's budgeted estimate of such expenditures, as a reduction in
2202 expenditures by crediting such expenditure account, rather than town
2203 revenue. The state shall notify the local or regional board of education
2204 when payments are made to the treasurer of the town pursuant to this
2205 subdivision.

2206 Sec. 100. Subsection (a) of section 10-76i of the general statutes is
2207 repealed and the following is substituted in lieu thereof (*Effective*
2208 *October 1, 2010*):

2209 (a) There shall be an Advisory Council for Special Education which
2210 shall advise the General Assembly, State Board of Education and the
2211 Commissioner of Education, and which shall engage in such other
2212 activities as described in this section. Said advisory council shall
2213 consist of the following members: (1) Two appointed by the
2214 Commissioner of Education, one of whom shall be an official of the
2215 Department of Education and one of whom shall be a representative of
2216 an institution of higher education in the state that prepares teacher and

2217 related services personnel; (2) ~~[two]~~ four appointed by the
2218 Commissioner of ~~[Developmental]~~ Human Services, ~~[one]~~ two of
2219 whom shall be ~~[an official]~~ officials of the department and ~~[one]~~ two of
2220 whom shall be ~~[a person]~~ persons with disabilities or a parent of such a
2221 person; (3) ~~[two appointed by the Commissioner of Children and~~
2222 ~~Families, one of whom shall be an official of the department and one of~~
2223 ~~whom shall be a person with disabilities or a parent or foster parent of~~
2224 ~~such a person; (4)]~~ one appointed by the Commissioner of Correction;
2225 ~~[(5)]~~ (4) four who are members of the General Assembly, one
2226 appointed by the majority leader of the House of Representatives, one
2227 appointed by the minority leader of the House of Representatives, one
2228 appointed by the president pro tempore of the Senate and one
2229 appointed by the minority leader of the Senate; ~~[(6)]~~ (5) three
2230 appointed by the president pro tempore of the Senate, one of whom
2231 shall be a member of the Connecticut Association of Boards of
2232 Education, one of whom shall be a member of the Connecticut Speech-
2233 Language-Hearing Association and one of whom shall be a person
2234 with disabilities or the parent of such a person; ~~[(7)]~~ (6) two appointed
2235 by the majority leader of the Senate one of whom shall be a person
2236 with disabilities or the parent of such a person and one of whom shall
2237 be a regular education teacher; ~~[(8)]~~ (7) four appointed by the minority
2238 leader of the Senate, one of whom shall be a representative of a
2239 vocational, community or business organization concerned with the
2240 provision of transitional services to children with disabilities, one of
2241 whom shall be a member of the Connecticut Association of Private
2242 Special Education Facilities and two of whom shall be persons with
2243 disabilities or the parents of such persons; ~~[(9)]~~ (8) three appointed by
2244 the speaker of the House of Representatives, one of whom shall be a
2245 member of the Connecticut Association of School Administrators and a
2246 local education official, one of whom shall be a person with disabilities
2247 or the parent of such a person and one of whom shall be a member of
2248 the literacy coalition and a person with disabilities or the parent of
2249 such a person; ~~[(10)]~~ (9) two appointed by the majority leader of the
2250 House of Representatives, one of whom shall be a person working in
2251 the field of special-education-related services and one of whom shall

2252 be a person with disabilities or the parent of such a person; [(11)] (10)
2253 four appointed by the minority leader of the House of Representatives,
2254 two of whom shall be persons with disabilities or the parents of such
2255 persons, one of whom shall be a member of the Connecticut
2256 Association of Pupil Personnel Administrators and an administrator of
2257 a program for children who require special education, and one of
2258 whom shall be a special education teacher; [(12)] (11) eight appointed
2259 by the Governor, all of whom shall be persons with disabilities or
2260 parents of such persons and one of whom shall also be associated with
2261 a charter school; and [(13)] (12) such other members as required by the
2262 Individuals with Disabilities Education Act, 20 USC 1400 et seq., as
2263 amended from time to time, appointed by the Commissioner of
2264 Education. The terms of the present members shall expire on June 30,
2265 1998. Appointments shall be made to the council by July 1, 1998.
2266 Members shall serve two-year terms, except that members appointed
2267 pursuant to subdivisions (1) to [(4)] (3), inclusive, and [(12)] (11) of this
2268 subsection whose terms commenced July 1, 1998, shall serve three-year
2269 terms and the successors to such members appointed pursuant to said
2270 subdivisions shall serve two-year terms.

2271 Sec. 101. Subsection (a) of section 10-253 of the 2010 supplement to
2272 the general statutes is repealed and the following is substituted in lieu
2273 thereof (*Effective October 1, 2010*):

2274 (a) Children placed out by the Commissioner of [Children and
2275 Families] Human Services or by other agencies or persons, including
2276 offices of a government of a federally recognized Native American
2277 tribe, private child-caring or child-placing agencies licensed by the
2278 Department of [Children and Families] Human Services, and eligible
2279 residents of facilities operated by the Department of [Mental Health
2280 and Addiction Services or by the Department of Public Health] Human
2281 Services who are eighteen to twenty-one years of age, shall be entitled
2282 to all free school privileges of the school district where they then reside
2283 as a result of such placement, except as provided in subdivision (4) of
2284 subsection (e) of section 10-76d. Except as provided in subsection (d) of
2285 this section and subdivision (4) of subsection (e) of section 10-76d,

2286 payment for such education shall be made by the board of education of
2287 the school district under whose jurisdiction such child would
2288 otherwise be attending school where such a school district is identified.

2289 Sec. 102. Subsection (b) of section 17a-4a of the general statutes is
2290 repealed and the following is substituted in lieu thereof (*Effective*
2291 *October 1, 2010*):

2292 (b) The Children's Behavioral Health Advisory Committee shall be
2293 composed of the following ex-officio voting members: (1) The
2294 Commissioner of [Children and Families] Human Services or the
2295 commissioner's designee; (2) [the Commissioner of Social Services or
2296 the commissioner's designee; (3)] the Executive Director of the
2297 Children's Health Council or said director's designee; [(4)] (3) the Chief
2298 Court Administrator or said administrator's designee; [(5)] (4) the
2299 Commissioner of Education or the commissioner's designee; [(6) the
2300 Commissioner of Mental Health and Addiction Services or the
2301 commissioner's designee; (7) the Commissioner of Developmental
2302 Services or the commissioner's designee; (8)] and (5) the executive
2303 director of the Office of Protection and Advocacy for Persons with
2304 Disabilities or the director's designee; and the following public
2305 members: (A) Two members appointed by the Governor, one of whom
2306 shall be a parent of a child who receives behavioral health services and
2307 one of whom shall be a provider of behavioral health services; (B) six
2308 members, one of whom shall be appointed by the president pro
2309 tempore of the Senate, one of whom shall be appointed by the speaker
2310 of the House of Representatives, one of whom shall be appointed by
2311 the majority leader of the Senate, one of whom shall be appointed by
2312 the majority leader of the House of Representatives, one of whom shall
2313 be appointed by the minority leader of the Senate and one of whom
2314 shall be appointed by the minority leader of the House of
2315 Representatives, and all of whom shall be knowledgeable on issues
2316 relative to children in need of behavioral health services and family
2317 supports; and (C) sixteen members appointed by the chairperson of the
2318 State Advisory Council on Children and Families. The membership of
2319 the advisory committee shall fairly and adequately represent parents

2320 of children who have a serious emotional disturbance. At least fifty-
2321 one per cent of the members of the advisory committee shall be
2322 persons who are parents or relatives of a child who has or had a
2323 serious emotional disturbance or persons who had a serious emotional
2324 disturbance as children and no more than half the members of the
2325 committee shall be persons who receive income from a private practice
2326 or any public or private agency that delivers behavioral health
2327 services.

2328 Sec. 103. Section 17a-22a of the general statutes is repealed and the
2329 following is substituted in lieu thereof (*Effective October 1, 2010*):

2330 (a) The Commissioner of [Social Services and the Commissioner of
2331 Children and Families] Human Services shall, within available
2332 appropriations, develop and administer an integrated behavioral
2333 health service delivery system to be known as Connecticut Community
2334 KidCare. Said system shall provide services to children and youths
2335 with behavioral health needs who are in the custody of the
2336 Department of [Children and Families] Human Services, who are
2337 eligible to receive services from the HUSKY Plan, Part A or the
2338 federally subsidized portion of Part B, or receive services under the
2339 voluntary services program operated by the Department of [Children
2340 and Families] Human Services. All necessary changes to the IV-E, Title
2341 XIX and Title XXI state plans shall be made to maximize federal
2342 financial participation. The Commissioner of [Social] Human Services
2343 may amend the state Medicaid plan to facilitate the claiming of federal
2344 reimbursement for private nonmedical institutions as defined in the
2345 Social Security Act. The Commissioner of [Social] Human Services may
2346 implement policies and procedures necessary to provide
2347 reimbursement for the services provided by private nonmedical
2348 institutions, as defined in 42 CFR Part 434, while in the process of
2349 adopting such policies and procedures in regulation form, provided
2350 the commissioner prints notice of intention to adopt the regulations in
2351 the Connecticut Law Journal within twenty days of implementing such
2352 policies and procedures. Policies and procedures implemented
2353 pursuant to this subsection shall be valid until the time such

2354 regulations are effective.

2355 (b) Connecticut Community KidCare shall, within available
2356 appropriations, provide a comprehensive benefit package of
2357 behavioral health specialty services. The HUSKY Plan shall continue to
2358 provide primary behavioral health services and may provide
2359 additional behavioral health services to be determined by the
2360 Department of [Social] Human Services and shall assure an integration
2361 of such services with the behavioral health services provided by
2362 Connecticut Community KidCare.

2363 (c) Connecticut Community KidCare shall include: (1) A system of
2364 care model in which service planning is based on the needs and
2365 preferences of the child or youth and his or her family and that places
2366 an emphasis on early identification, prevention and treatment; (2) a
2367 comprehensive behavioral health program with a flexible benefit
2368 package that shall include clinically necessary and appropriate home
2369 and community-based treatment services and comprehensive support
2370 services in the least restrictive setting; (3) community-based care
2371 planning and service delivery, including services and supports for
2372 children from birth through early childhood that link Connecticut
2373 Community KidCare to the early childhood community and promote
2374 emotional wellness; (4) comprehensive children and youth behavioral
2375 health training for agency and system staff and interested parents and
2376 guardians; (5) an efficient balance of local participation and state-wide
2377 administration; (6) integration of agency funding to support the benefit
2378 package; (7) a performance measurement system for monitoring
2379 quality and access; (8) accountability for quality, access and cost; (9)
2380 elimination of the major gaps in services and barriers to access
2381 services; (10) a system of care that is family-focused with respect for
2382 the legal rights of the child or youth and his or her parents and
2383 provides training, support and family advocacy services; (11)
2384 assurances of timely payment of service claims; (12) assurances that no
2385 child or youth shall be disenrolled or inappropriately discharged due
2386 to behavioral health care needs; and (13) identification of youths in
2387 need of transition services to adult systems.

2388 [(d) The Commissioner of Social Services and the Commissioner of
2389 Children and Families shall enter into a memorandum of
2390 understanding for the purpose of the joint administration of
2391 Connecticut Community KidCare. Such memorandum of
2392 understanding shall establish mechanisms to administer funding for,
2393 establish standards for and monitor implementation of Connecticut
2394 Community KidCare and specify that (1) the Department of Social
2395 Services, which is the agency designated as the single state agency for
2396 the administration of the Medicaid program pursuant to Title XIX of
2397 the Social Security Act and is the agency responsible for the
2398 administration of the HUSKY Plan, Part B under Title XXI of the Social
2399 Security Act, manage all Medicaid and HUSKY Plan modifications,
2400 waiver amendments, federal reporting and claims processing and
2401 provide financial management, and (2) the Department of Children
2402 and Families, which is the state agency responsible for administering
2403 and evaluating a comprehensive and integrated state-wide program of
2404 services for children and youths with behavioral health needs, define
2405 the services to be included in the continuum of care and develop state-
2406 wide training programs for providers, families and other persons.

2407 (e) Said commissioners shall consult with the Commissioner of
2408 Mental Health and Addiction Services, the Commissioner of
2409 Developmental Services, the Commissioner of Public Health and the
2410 Commissioner of Education during the development of Connecticut
2411 Community KidCare in order to (1) ensure coordination of a delivery
2412 system of behavioral health services across the life span of children,
2413 youths and adults with behavioral health needs, (2) maximize federal
2414 reimbursement and revenue, and (3) ensure the coordination of care
2415 and funding among agencies.]

2416 [(f)] (d) The Commissioner of [Social Services and the Commissioner
2417 of Children and Families] Human Services may apply for any federal
2418 waivers or waiver amendments necessary to implement the provisions
2419 of this section.

2420 Sec. 104. Section 17a-22b of the 2010 supplement to the general

2421 statutes is repealed and the following is substituted in lieu thereof
2422 (*Effective October 1, 2010*):

2423 (a) Each community collaborative shall, within available
2424 appropriations, (1) complete a local needs assessment which shall
2425 include objectives and performance measures, (2) specify the number
2426 of children and youths requiring behavioral health services, and (3)
2427 specify the number of children and youths actually receiving
2428 community-based and residential services and the type and frequency
2429 of such services. Each community collaborative shall submit its local
2430 needs assessment to the Commissioner of [Children and Families and
2431 the Commissioner of Social] Human Services.

2432 (b) The area offices of the Department of [Children and Families]
2433 Human Services shall contract with lead service agencies, within
2434 available appropriations, to coordinate the care of all children and
2435 youths enrolled in Connecticut Community KidCare residing within
2436 their designated catchment areas, including children and youths with
2437 complex behavioral health service needs. The lead service agencies
2438 shall employ or subcontract for the employment of care coordinators to
2439 assist families in establishing and implementing individual service
2440 plans for children and youths with complex behavioral health service
2441 needs and to improve clinical outcomes and cost effectiveness. Parents
2442 shall be afforded a choice of contracted providers for authorized
2443 services.

2444 (c) Each community collaborative may establish the number of
2445 members and the type of representatives to ensure that the
2446 membership of such collaborative is appropriately balanced. The chief
2447 elected officers of municipalities served by a community collaborative
2448 may designate a member to serve as a representative of the chief
2449 elected officials. A community collaborative, at a minimum, shall
2450 consist of representatives from the local or regional board of education,
2451 special education program, youth services bureau, local departments
2452 of social services and public health, representatives from private
2453 organizations serving children and youths and a substantial number of

2454 parents of children and youths with behavioral health needs. A
2455 community collaborative shall participate in the area advisory councils
2456 established under section 17a-30, provide outreach to community
2457 resources, coordinate behavioral health services by forming, with the
2458 consent of the family, child specific teams for children and youths with
2459 complex behavioral health service needs, conduct community need
2460 assessments to identify service gaps and service barriers, identify
2461 priority investment areas for the state and lead service agencies and
2462 provide public education and support. A community collaborative
2463 shall establish a governance structure, determine membership and
2464 identify or establish a fiscal agent.

2465 (d) The Commissioner of [Children and Families and the
2466 Commissioner of Social] Human Services shall, within available
2467 appropriations, provide or arrange for the administrative services
2468 necessary to operate Connecticut Community KidCare.

2469 Sec. 105. Subsection (a) of section 17a-22c of the 2010 supplement to
2470 the general statutes is repealed and the following is substituted in lieu
2471 thereof (*Effective October 1, 2010*):

2472 (a) The Commissioner of [Children and Families and the
2473 Commissioner of Social] Human Services shall establish performance
2474 measures in the areas of finance, administration, utilization, client
2475 satisfaction, quality and access for Connecticut Community KidCare.

2476 Sec. 106. Section 17a-22f of the general statutes is repealed and the
2477 following is substituted in lieu thereof (*Effective October 1, 2010*):

2478 (a) The Commissioner of [Social] Human Services may, with regard
2479 to the provision of behavioral health services provided pursuant to a
2480 state plan under Title XIX or Title XXI of the Social Security Act [:(1)
2481 Contract] contract with an administrative services organization to
2482 provide clinical management, provider network development and
2483 other administrative services. [; and (2) delegate responsibility to the
2484 Department of Children and Families for the clinical management
2485 portion of such administrative contract.]

2486 (b) For purposes of this section, the term "clinical management"
2487 describes the process of evaluating and determining the
2488 appropriateness of the utilization of behavioral health services and
2489 providing assistance to clinicians or beneficiaries to ensure appropriate
2490 use of resources and may include, but is not limited to, authorization,
2491 concurrent and retrospective review, discharge review, quality
2492 management, provider certification and provider performance
2493 enhancement. The [Commissioners of Social Services and Children and
2494 Families] Commissioner of Human Services shall [jointly] develop
2495 clinical management policies and procedures. The Department of
2496 [Social] Human Services may implement policies and procedures
2497 necessary to carry out the purposes of this section, including any
2498 necessary changes to existing behavioral health policies and
2499 procedures concerning utilization management, while in the process of
2500 adopting such policies and procedures in regulation form, provided
2501 the commissioner publishes notice of intention to adopt the regulations
2502 in the Connecticut Law Journal within twenty days of implementing
2503 such policies and procedures. Policies and procedures implemented
2504 pursuant to this subsection shall be valid until the earlier of (1) the
2505 time such regulations are effective, or (2) December 31, 2006.

2506 Sec. 107. Subsection (b) of section 17a-22g of the general statutes is
2507 repealed and the following is substituted in lieu thereof (*Effective*
2508 *October 1, 2010*):

2509 (b) No person shall solicit, disclose, receive or make use of, or
2510 authorize, knowingly permit, participate in or acquiesce in the use of,
2511 any list of the names of, or any information concerning, persons
2512 applying for or receiving assistance under the Connecticut Community
2513 KidCare program, directly or indirectly derived from the records,
2514 papers, files or communications of the state or its subdivisions or
2515 agencies, or acquired in the course of the performance of official
2516 duties. [The Commissioner of Children and Families shall disclose
2517 case-specific information to any authorized representative of the
2518 Commissioner of Social Services for purposes directly connected with
2519 the administration of Connecticut Community KidCare.] No such

2520 representative shall disclose any information obtained pursuant to this
2521 section, except as specified in this section.

2522 Sec. 108. Section 17a-22h of the general statutes is repealed and the
2523 following is substituted in lieu thereof (*Effective October 1, 2010*):

2524 (a) The [Commissioners of Social Services and Children and
2525 Families] Commissioner of Human Services shall develop and
2526 implement an integrated behavioral health service system for HUSKY
2527 Part A and HUSKY Part B members, children enrolled in the voluntary
2528 services program operated by the Department of [Children and
2529 Families] Human Services and may, at the discretion of the
2530 [Commissioners of Children and Families and Social Services]
2531 Commissioner of Human Services, include other children, adolescents
2532 and families served by the Department of [Children and Families]
2533 Human Services, which shall be known as the Behavioral Health
2534 Partnership. The Behavioral Health Partnership shall seek to increase
2535 access to quality behavioral health services through: (1) Expansion of
2536 individualized, family-centered, community-based services; (2)
2537 maximization of federal revenue to fund behavioral health services; (3)
2538 reduction in the unnecessary use of institutional and residential
2539 services for children; (4) capture and investment of enhanced federal
2540 revenue and savings derived from reduced residential services and
2541 increased community-based services; (5) improved administrative
2542 oversight and efficiencies; and (6) monitoring of individual outcomes,
2543 provider performance, taking into consideration the acuity of the
2544 patients served by each provider, and overall program performance.

2545 (b) The Behavioral Health Partnership shall operate in accordance
2546 with the financial requirements specified in this subsection. Prior to the
2547 conversion of any grant-funded services to a rate-based, fee-for-service
2548 payment system, the Department of [Social Services and the
2549 Department of Children and Families] Human Services shall submit
2550 documentation verifying that the proposed rates seek to cover the
2551 reasonable cost of providing services to the Behavioral Health
2552 Partnership Oversight Council, established pursuant to section 17a-22j.

2553 Sec. 109. Subsection (a) of section 17a-22i of the general statutes is
2554 repealed and the following is substituted in lieu thereof (*Effective*
2555 *October 1, 2010*):

2556 (a) The Commissioner of [Children and Families and the
2557 Commissioner of Social Services shall each] Human Services shall
2558 designate a director for the Behavioral Health Partnership. [Each] The
2559 director shall coordinate the responsibilities of his or her department,
2560 within the statutory authority of [each] the department, for the
2561 planning, development, administration and evaluation of the activities
2562 specified under subsection (a) of section 17a-22h to increase access to
2563 quality behavioral health services.

2564 Sec. 110. Section 17a-22j of the general statutes is repealed and the
2565 following is substituted in lieu thereof (*Effective October 1, 2010*):

2566 (a) There is established a Behavioral Health Partnership Oversight
2567 Council which shall advise the [Commissioners of Children and
2568 Families and Social Services] Commissioner of Human Services on the
2569 planning and implementation of the Behavioral Health Partnership.

2570 (b) The council shall consist of the following members:

2571 (1) Four appointed by the speaker of the House of Representatives;
2572 two of whom are representatives of general or specialty psychiatric
2573 hospitals; one of whom is an adult with a psychiatric disability; and
2574 one of whom is an advocate for adults with psychiatric disabilities;

2575 (2) Four appointed by the president pro tempore of the Senate, two
2576 of whom are parents of children who have a behavioral health
2577 disorder or have received child protection or juvenile justice services
2578 from the Department of [Children and Families] Human Services; one
2579 of whom has expertise in health policy and evaluation; and one of
2580 whom is an advocate for children with behavioral health disorders;

2581 (3) Two appointed by the majority leader of the House of
2582 Representatives; one of whom is a primary care provider serving

2583 children pursuant to the HUSKY Plan; and one of whom is a child
2584 psychiatrist serving children pursuant to the HUSKY Plan;

2585 (4) Two appointed by the majority leader of the Senate; one of
2586 whom is either an adult with a substance use disorder or an advocate
2587 for adults with substance use disorders; and one of whom is a
2588 representative of school-based health clinics;

2589 (5) Two appointed by the minority leader of the House of
2590 Representatives; one of whom is a provider of community-based
2591 behavioral health services for adults; and one of whom is a provider of
2592 residential treatment for children;

2593 (6) Two appointed by the minority leader of the Senate; one of
2594 whom is a provider of community-based services for children with
2595 behavioral health problems; and one of whom is a member of the
2596 advisory council on Medicaid managed care;

2597 (7) Four appointed by the Governor; two of whom are
2598 representatives of general or specialty psychiatric hospitals and two of
2599 whom are parents of children who have a behavioral health disorder
2600 or have received child protection or juvenile justice services from the
2601 Department of [Children and Families] Human Services;

2602 (8) The chairpersons and ranking members of the joint standing
2603 committees of the General Assembly having cognizance of matters
2604 relating to human services, public health, appropriations and the
2605 budgets of state agencies, or their designees;

2606 (9) A member of the Community Mental Health Strategy Board,
2607 established pursuant to section 17a-485b, as selected by said board;

2608 [(10) The Commissioner of Mental Health and Addiction Services,
2609 or said commissioner's designee;]

2610 [(11)] (10) Seven nonvoting ex-officio members, one each appointed
2611 by the Commissioners of [Social Services, Children and Families,
2612 Mental Health and Addiction] Human Services and Education to

2613 represent his or her department and one appointed by the State
2614 Comptroller, the Secretary of the Office of Policy and Management and
2615 the Office of Health Care Access to represent said offices;

2616 [(12)] (11) One or more consumers appointed by the chairpersons of
2617 the council, to be nonvoting ex-officio members; and

2618 [(13)] (12) One representative from the administrative services
2619 organization and from each Medicaid managed care organization, to
2620 be nonvoting ex-officio members.

2621 (c) All appointments to the council shall be made no later than July
2622 1, 2005, except that the chairpersons of the council may appoint
2623 additional consumers to the council as nonvoting ex-officio members.
2624 Any vacancy shall be filled by the appointing authority.

2625 (d) The chairpersons of the advisory council on Medicaid managed
2626 care shall select the chairpersons of the Behavioral Health Partnership
2627 Oversight Council from among the members of such oversight council.
2628 Such chairpersons shall convene the first meeting of the council, which
2629 shall be held not later than August 1, 2005. The council shall meet at
2630 least monthly thereafter.

2631 (e) The Joint Committee on Legislative Management shall provide
2632 administrative support to the chairpersons and assistance in convening
2633 the council's meetings.

2634 (f) The council shall make specific recommendations on matters
2635 related to the planning and implementation of the Behavioral Health
2636 Partnership which shall include, but not be limited to: (1) Review of
2637 any contract entered into by the [Departments of Children and
2638 Families and Social Services] Department of Human Services with an
2639 administrative services organization, to assure that the administrative
2640 services organization's decisions are based solely on clinical
2641 management criteria developed by the clinical management committee
2642 established in section 17a-22k; (2) review of behavioral health services
2643 pursuant to Title XIX and Title XXI of the Social Security Act to assure

2644 that federal revenue is being maximized; and (3) review of periodic
2645 reports on the program activities, finances and outcomes, including
2646 reports from the director of the Behavioral Health Partnership on
2647 achievement of service delivery system goals, pursuant to section 17a-
2648 22i. The council may conduct or cause to be conducted an external,
2649 independent evaluation of the Behavioral Health Partnership.

2650 (g) On or before March 1, 2006, and annually thereafter, the council
2651 shall submit a report to the Governor and, in accordance with section
2652 11-4a, to the joint standing committees of the General Assembly having
2653 cognizance of matters relating to human services, public health and
2654 appropriations and the budgets of state agencies, on the council's
2655 activities and progress.

2656 Sec. 111. Section 17a-22k of the general statutes is repealed and the
2657 following is substituted in lieu thereof (*Effective October 1, 2010*):

2658 There is established a clinical management committee to develop
2659 clinical management guidelines to be used for the Behavioral Health
2660 Partnership. The committee shall consist of [two] five members
2661 selected by the Commissioner of [Children and Families, two members
2662 selected by the Commissioner of Social Services, one member selected
2663 by the Commissioner of Mental Health and Addiction] Human
2664 Services and two members selected by the Behavioral Health
2665 Partnership Oversight Council, established pursuant to section 17a-22j,
2666 as amended by this act. Members of the committee shall have requisite
2667 expertise or experience in behavioral health services.

2668 Sec. 112. Section 17a-22l of the general statutes is repealed and the
2669 following is substituted in lieu thereof (*Effective October 1, 2010*):

2670 The [Departments of Children and Families and Social Services]
2671 Department of Human Services shall develop consumer and provider
2672 appeal procedures and shall submit such procedures to the Behavioral
2673 Health Partnership Oversight Council for review and comment. Such
2674 procedures shall include, but not be limited to, procedures for a
2675 consumer or any provider acting on behalf of a consumer to appeal a

2676 denial or determination. The [Departments of Children and Families
2677 and Social Services] Department of Human Services shall establish
2678 time frames for appealing decisions made by the administrative
2679 services organization, including an expedited review in emergency
2680 situations. Any procedure for appeals shall require that an appeal be
2681 heard not later than thirty days after such appeal is filed and shall be
2682 decided not later than forty-five days after such appeal is filed.

2683 Sec. 113. Section 17a-22m of the general statutes is repealed and the
2684 following is substituted in lieu thereof (*Effective October 1, 2010*):

2685 On or before October 1, 2006, and annually thereafter, the
2686 [Commissioners of Children and Families and Social Services]
2687 Commissioner of Human Services shall conduct an evaluation of the
2688 Behavioral Health Partnership and shall report, in accordance with
2689 section 11-4a, to the joint standing committees of the General
2690 Assembly having cognizance of matters relating to appropriations and
2691 the budgets of state agencies, public health and human services on the
2692 provision of behavioral health services under the Behavioral Health
2693 Partnership, including information on the status of the administrative
2694 services organization implementation, [the status of the collaboration
2695 among the Departments of Children and Families and Social Services,]
2696 the services provided, the number of persons served, program
2697 outcomes and spending by child and adult populations.

2698 Sec. 114. Subsection (a) of section 17a-22o of the general statutes is
2699 repealed and the following is substituted in lieu thereof (*Effective*
2700 *October 1, 2010*):

2701 (a) The [Departments of Children and Families and Social Services]
2702 Department of Human Services may establish provider specific
2703 inpatient, partial hospitalization, intensive outpatient and other
2704 intensive service rates. Within available appropriations, the initial rates
2705 shall not be less than each provider's blend of rates from the HUSKY
2706 Plans in effect on July 1, 2005, unless the date of implementation of the
2707 Behavioral Health Partnership is later than January 1, 2006. If such

2708 implementation date is later than January 1, 2006, such initial rates,
2709 within available appropriations, shall not be less than each provider's
2710 blend of rates in effect sixty days prior to the implementation date of
2711 the Behavioral Health Partnership. Within available appropriations,
2712 the departments may provide grant payments, where necessary, to
2713 address provider financial impacts. The departments may establish
2714 uniform outpatient rates allowing a differential for child and adult
2715 services. In no event shall such rate increases exceed rates paid
2716 through Medicare for such services. The Behavioral Health Partnership
2717 Oversight Council shall review any such rate methodology as
2718 provided for in subsection (b) of this section. Notwithstanding the
2719 provisions of sections 17b-239 and 17b-241, rates for behavioral health
2720 services shall be established in accordance with this section.

2721 Sec. 115. Section 17a-22p of the general statutes is repealed and the
2722 following is substituted in lieu thereof (*Effective October 1, 2010*):

2723 (a) The [Departments of Children and Families and Social Services]
2724 Department of Human Services shall enter a [joint] contract with an
2725 administrative services organization to perform eligibility verification,
2726 utilization management, intensive care management, quality
2727 management, coordination of medical and behavioral health services,
2728 provider network development and management, recipient and
2729 provider services and reporting. The contract shall provide for the
2730 organization to commence such activities on or after October 1, 2005.

2731 (b) Claims under the Behavioral Health Partnership shall be paid by
2732 the Department of Social Services' Medicaid management information
2733 systems vendor, except that the Department of [Children and Families]
2734 Human Services may, at its discretion, continue to use existing claims
2735 payment systems.

2736 (c) The administrative services organization shall authorize services,
2737 based solely on guidelines established by the clinical management
2738 committee, established pursuant to section 17a-22k. The administrative
2739 services organization may make exceptions to the guidelines when

2740 requested by a member, or the member's legal guardian or service
2741 provider, and determined by the administrative services organization
2742 to be in the best interest of the member. Decisions regarding the
2743 interpretation of such guidelines shall be made by the [Departments of
2744 Children and Families and Social Services] Department of Human
2745 Services. No administrative services organization shall have any
2746 financial incentive to approve, deny or reduce services. The
2747 administrative services organization shall ensure that service providers
2748 and persons seeking services have timely access to program
2749 information and timely responses to inquiries, including inquiries
2750 concerning the clinical guidelines for services.

2751 (d) The administrative services organization shall provide or
2752 arrange for on-site assistance to facilitate the appropriate placement, as
2753 soon as practicable, of children with behavioral health diagnoses who
2754 the administrative services organization knows to have been in an
2755 emergency department for over forty-eight hours. The administrative
2756 services organization shall provide or arrange for on-site assistance to
2757 arrange for the discharge or appropriate placement, as soon as
2758 practicable, for children the administrative services organization
2759 knows to have remained in an inpatient hospital unit for more than
2760 five days longer than is medically necessary, as agreed by the
2761 administrative services organization and the hospital.

2762 (e) The [Departments of Children and Families and Social Services]
2763 Department of Human Services shall develop, in consultation with the
2764 Behavioral Health Partnership, a comprehensive plan for monitoring
2765 the performance of the administrative services organization which
2766 shall include data on service authorizations, individual outcomes,
2767 appeals, outreach and accessibility, comments from program
2768 participants compiled from written surveys and face-to-face
2769 interviews.

2770 (f) The Behavioral Health Partnership shall establish policies to
2771 coordinate benefits received under the partnership with those received
2772 through Medicaid managed care organizations for persons covered by

2773 both a Medicaid managed care organization and the Behavioral Health
2774 Partnership. Such policies shall specify a coordinated delivery of both
2775 physical and behavioral health care. The policies shall be submitted to
2776 the Behavioral Health Partnership Oversight Council for review and
2777 comment.

2778 Sec. 116. Section 17a-22aa of the general statutes is repealed and the
2779 following is substituted in lieu thereof (*Effective October 1, 2010*):

2780 The Commissioner of [Children and Families] Human Services, in
2781 consultation with [the Commissioner of Mental Health and Addiction
2782 Services and] the Community Mental Health Strategy Board,
2783 established under section 17a-485b, shall, within available
2784 appropriations, maintain the availability of flexible emergency funding
2785 for children with psychiatric disabilities who are not under the
2786 supervision of the Department of [Children and Families] Human
2787 Services.

2788 Sec. 117. Subsection (g) of section 17a-28 of the 2010 supplement to
2789 the general statutes is repealed and the following is substituted in lieu
2790 thereof (*Effective October 1, 2010*):

2791 (g) When the commissioner or his designee determines it to be in a
2792 person's best interest, the commissioner or his designee may disclose
2793 records, whether or not created by the department and not otherwise
2794 privileged or confidential communications under state or federal law,
2795 without the consent of a person to:

2796 (1) Multidisciplinary teams which are formed to assist the
2797 department in investigation, evaluation or treatment of child abuse
2798 and neglect cases or a multidisciplinary provider of professional
2799 treatment services under contract with the department for a child
2800 referred to the provider;

2801 (2) Any agency in another state which is responsible for
2802 investigating or protecting against child abuse or neglect for the
2803 purpose of investigating a child abuse case;

2804 (3) An individual, including a physician, authorized pursuant to
2805 section 17a-101f to place a child in protective custody if such
2806 individual has before him a child whom he reasonably suspects may
2807 be a victim of abuse or neglect and such individual requires the
2808 information in a record in order to determine whether to place the
2809 child in protective custody;

2810 (4) An individual or public or private agency responsible for a
2811 person's care or custody and authorized by the department to
2812 diagnose, care for, treat or supervise a child who is the subject of a
2813 record of child abuse or neglect or a public or private agency
2814 responsible for a person's education for a purpose related to the
2815 individual's or agency's responsibilities;

2816 (5) The Attorney General or any assistant attorney general
2817 providing legal counsel for the department;

2818 (6) Individuals or public or private agencies engaged in medical,
2819 psychological or psychiatric diagnosis or treatment of a person
2820 perpetrating the abuse or who is unwilling or unable to protect the
2821 child from abuse or neglect when the commissioner or his designee
2822 determines that the disclosure is needed to accomplish the objectives
2823 of diagnosis or treatment;

2824 (7) A person who reports child abuse pursuant to sections 17a-101a
2825 to 17a-101c, inclusive, and section 17a-103, who made a report of abuse
2826 involving the subject child, provided the information disclosed is
2827 limited to (A) the status of the investigation; and (B) in general terms,
2828 any action taken by the department;

2829 (8) An individual conducting bona fide research, provided no
2830 information identifying the subjects of records shall be disclosed
2831 unless (A) such information is essential to the purpose of the research;
2832 (B) each person identified in a record or his authorized representative
2833 has authorized such disclosure in writing; and (C) the department has
2834 given written approval;

2835 (9) The Auditors of Public Accounts or their representative,
2836 provided no information identifying the subjects of the records shall be
2837 disclosed unless such information is essential to an audit conducted
2838 pursuant to section 2-90;

2839 [(10) The Department of Social Services, provided the information
2840 disclosed is necessary to promote the health, safety and welfare of the
2841 child;]

2842 [(11)] (10) A judge of the Superior Court for purposes of
2843 determining the appropriate disposition of a child convicted as
2844 delinquent or a child who is a member of a family with service needs;
2845 and

2846 [(12)] (11) The superintendents, or their designees, of state-operated
2847 facilities within the department.]; and

2848 (13) The Department of Developmental Services, to allow said
2849 department to determine eligibility, facilitate enrollment and plan for
2850 the provision of services to a child, who is a client of said department
2851 but who is not yet participating in said department's voluntary
2852 services program. Records provided pursuant to this subdivision shall
2853 be limited to a written summary of any investigation conducted by the
2854 Department of Children and Families pursuant to section 17a-101g. At
2855 the time that a parent or guardian completes an application for
2856 enrollment of a child in the Department of Developmental Services
2857 voluntary services program, said department shall notify such parent
2858 or guardian that records specified in this subdivision may be provided
2859 by the Department of Children and Families to the Department of
2860 Developmental Services without the consent of such parent or
2861 guardian.]

2862 Sec. 118. Section 17a-52 of the general statutes is repealed and the
2863 following is substituted in lieu thereof (*Effective October 1, 2010*):

2864 (a) There is established a Youth Suicide Advisory Board, within the
2865 Department of [Children and Families] Human Services, which shall

2866 be a coordinating source for youth suicide prevention. The board shall
2867 consist of twenty members, which shall include one psychiatrist
2868 licensed to practice medicine in this state, one psychologist licensed in
2869 this state, one representative of a local or regional board of education,
2870 one high school teacher, one high school student, one college or
2871 university faculty member, one college or university student and one
2872 parent, all appointed by the Commissioner of [Children and Families]
2873 Human Services, one representative of the Department of [Public
2874 Health] Human Services appointed by the Commissioner of [Public
2875 Health] Human Services, one representative of the state Department of
2876 Education appointed by the Commissioner of Education and one
2877 representative of the Department of Higher Education appointed by
2878 the Commissioner of Higher Education. The balance of the board shall
2879 be comprised of persons with expertise in the mental health of children
2880 or mental health issues with a focus on suicide prevention and shall be
2881 appointed by the Commissioner of [Children and Families] Human
2882 Services. Members of the board shall serve for two-year terms, without
2883 compensation. Any member who fails to attend three consecutive
2884 meetings or fifty per cent of all meetings held during any calendar year
2885 shall be deemed to have resigned from the board. The Commissioner
2886 of [Children and Families] Human Services shall be a nonvoting, ex-
2887 officio member of the board. The board shall elect a chairman, and a
2888 vice-chairman to act in the chairman's absence.

2889 (b) The board shall: (1) Increase public awareness of the existence of
2890 youth suicide and means of prevention; (2) make recommendations to
2891 the commissioner for the development of state-wide training in the
2892 prevention of youth suicide; (3) develop a strategic youth suicide
2893 prevention plan; (4) recommend interagency policies and procedures
2894 for the coordination of services for youths and families in the area of
2895 suicide prevention; (5) make recommendations for the establishment
2896 and implementation of suicide prevention procedures in schools and
2897 communities; (6) establish a coordinated system for the utilization of
2898 data for the prevention of youth suicide; and (7) make
2899 recommendations concerning the integration of suicide prevention and

2900 intervention strategies into other youth-focused prevention and
2901 intervention programs.

2902 Sec. 119. Section 17a-54a of the general statutes is repealed and the
2903 following is substituted in lieu thereof (*Effective October 1, 2010*):

2904 The Commissioner of [Children and Families] Human Services, in
2905 collaboration with the [Commissioners] Commissioner of Economic
2906 and Community Development, [Social Services, Developmental
2907 Services and Public Health,] the Secretary of the Office of Policy and
2908 Management and the executive director of the Connecticut Housing
2909 Finance Authority, shall establish a pilot project to provide affordable
2910 housing and support services to families with children who have one
2911 or more serious, chronic medical conditions and have ongoing,
2912 significant health care service needs.

2913 Sec. 120. Section 17a-98a of the general statutes is repealed and the
2914 following is substituted in lieu thereof (*Effective October 1, 2010*):

2915 (a) The Department of [Children and Families, in consultation with
2916 the Departments of Social Services, Mental Health and Addiction
2917 Services and Developmental] Human Services [,] shall establish, within
2918 available appropriations, a kinship navigator program. Such program
2919 shall ensure that: (1) When the Department of [Children and Families]
2920 Human Services determines that it is in the best interest of the child to
2921 be placed with a relative for foster care, the department informs the
2922 relative regarding procedures to become licensed as a foster parent,
2923 and (2) grandparents and other relatives caring for a minor child are
2924 provided with information on the array of state services and benefits
2925 for which they may be eligible, including the subsidy program
2926 established pursuant to section 17a-126. The Commissioner of
2927 [Children and Families] Human Services shall, within available
2928 appropriations, ensure that information on the array of services
2929 available under the kinship navigator program is accessible through
2930 the 2-1-1 Infoline program.

2931 (b) Not later than January 1, 2008, and annually thereafter, the

2932 Commissioner of [Children and Families] Human Services shall report,
2933 in accordance with section 11-4a, on the implementation of the kinship
2934 navigator program to the joint standing committee of the General
2935 Assembly having cognizance of matters relating to human services.

2936 Sec. 121. Subsection (b) of section 17a-101 of the 2010 supplement to
2937 the general statutes is repealed and the following is substituted in lieu
2938 thereof (*Effective October 1, 2010*):

2939 (b) The following persons shall be mandated reporters: Any
2940 physician or surgeon licensed under the provisions of chapter 370, any
2941 resident physician or intern in any hospital in this state, whether or not
2942 so licensed, any registered nurse, licensed practical nurse, medical
2943 examiner, dentist, dental hygienist, psychologist, coach of intramural
2944 or interscholastic athletics, school superintendent, school teacher,
2945 school principal, school guidance counselor, school paraprofessional,
2946 school coach, social worker, police officer, juvenile or adult probation
2947 officer, juvenile or adult parole officer, member of the clergy,
2948 pharmacist, physical therapist, optometrist, chiropractor, podiatrist,
2949 mental health professional or physician assistant, any person who is a
2950 licensed or certified emergency medical services provider, any person
2951 who is a licensed or certified alcohol and drug counselor, any person
2952 who is a licensed marital and family therapist, any person who is a
2953 sexual assault counselor or a battered women's counselor as defined in
2954 section 52-146k, any person who is a licensed professional counselor,
2955 any person who is a licensed foster parent, any person paid to care for
2956 a child in any public or private facility, child day care center, group
2957 day care home or family day care home licensed by the state, any
2958 employee of the Department of [Children and Families, any employee
2959 of the Department of Public Health who is responsible for the licensing
2960 of child day care centers, group day care homes, family day care
2961 homes or youth camps] Human Services, the Child Advocate and any
2962 employee of the Office of the Child Advocate.

2963 Sec. 122. Subsection (c) of section 17a-127 of the general statutes is
2964 repealed and the following is substituted in lieu thereof (*Effective*

2965 October 1, 2010):

2966 (c) The Commissioner of [Children and Families, in consultation
2967 with the Commissioner of Social Services,] Human Services may adopt
2968 regulations in accordance with chapter 54 for the purpose of
2969 implementing the provisions of this section.

2970 Sec. 123. Subsection (a) of section 17a-215b of the 2010 supplement
2971 to the general statutes is repealed and the following is substituted in
2972 lieu thereof (*Effective October 1, 2010*):

2973 (a) The Commissioner of [Developmental Services] Human Services,
2974 in consultation with [the Commissioners of Social Services and Mental
2975 Health and Addiction Services and] any other commissioner the
2976 Commissioner of [Developmental] Human Services deems
2977 appropriate, shall establish a pilot autism spectrum disorders program,
2978 to provide a coordinated system of supports and services, including
2979 case management, for persons with autism spectrum disorders who do
2980 not have mental retardation, as defined in section 1-1g, and their
2981 families. The pilot program shall serve up to seventy-five adults with
2982 autism spectrum disorders who are not eligible for services from the
2983 Department of [Developmental] Human Services under this chapter.

2984 Sec. 124. Subsections (i) and (j) of section 17a-215c of the general
2985 statutes are repealed and the following is substituted in lieu thereof
2986 (*Effective October 1, 2010*):

2987 (i) The Commissioner of [Social Services, in consultation with the
2988 Commissioner of Developmental] Human Services [.] may seek
2989 approval of an amendment to the state Medicaid plan or a waiver from
2990 federal law, whichever is sufficient and most expeditious, to establish
2991 and implement a Medicaid-financed home and community-based
2992 program to provide community-based services and, if necessary,
2993 housing assistance, to adults with autism spectrum disorders who are
2994 not mentally retarded.

2995 (j) On or before January 1, 2008, and annually thereafter, the

2996 Commissioner of [Social Services, in consultation with the
2997 Commissioner of Developmental Services, and] Human Services, in
2998 accordance with the provisions of section 11-4a, shall submit a report
2999 to the joint standing committee of the General Assembly having
3000 cognizance of matters relating to public health, on the status of any
3001 amendment to the state Medicaid plan or waiver from federal law as
3002 described in subsection (i) of this section and on the establishment and
3003 implementation of the program authorized pursuant to subsection (i)
3004 of this section.

3005 Sec. 125. Subsection (a) of section 17a-218 of the 2010 supplement to
3006 the general statutes is repealed and the following is substituted in lieu
3007 thereof (*Effective October 1, 2010*):

3008 (a) For purposes of this section, the following terms have the
3009 following meanings: "Commissioner" means the Commissioner of
3010 [Developmental] Human Services; "department" means the
3011 Department of [Developmental] Human Services; and "emergency
3012 placement" means cases in which there has been a request for a
3013 residential accommodation for an individual for whom there is an
3014 unforeseen emergency in his current living arrangement, or cases in
3015 which the department has had no previous knowledge of a need for
3016 placement, or cases in which such a placement is needed because of
3017 actions of another state agency or department, [including, but not
3018 limited to, the Department of Mental Health and Addiction Services,
3019 the Department of Children and Families,] and any court, or cases
3020 prior to any other planned placements, because the health or safety of
3021 the individual needing such placement would be adversely affected
3022 without such placement.

3023 Sec. 126. Section 17a-246 of the general statutes is repealed and the
3024 following is substituted in lieu thereof (*Effective October 1, 2010*):

3025 (a) The amount of payments to be paid by the state to any
3026 organization which provides employment opportunities and day
3027 services for persons referred by any state agency shall be determined

3028 annually by the [Commissioners of Developmental Services, Social
3029 Services, Mental Health and Addiction Services] Commissioner of
3030 Human Services and any other state agency which purchases
3031 employment opportunities and day services using a uniform payment
3032 system. Nothing contained herein shall authorize a payment by the
3033 state in excess of the charges for comparable services to the general
3034 public. For purposes of this section, "employment opportunities and
3035 day services" means the following programs: Supported employment,
3036 sheltered employment, community experience, adult day treatment
3037 and opportunities for older adults.

3038 (b) Notwithstanding the provisions of the general statutes or the
3039 regulations of the Connecticut state agencies, for the fiscal year
3040 commencing July 1, 1989, and ending June 30, 1990, the Department of
3041 [Developmental Services, in conjunction with the Departments of
3042 Mental Health and Addiction Services and Social] Human Services [.]
3043 shall pro rate any reduction in available appropriations to any agency
3044 funded pursuant to sections 19a-476 to 19a-482, inclusive, of the
3045 general statutes, revision of 1958, revised to 1989. Such proration shall
3046 not be construed to authorize a reduction in the level of services to
3047 persons receiving services pursuant to said sections as of May 31, 1989,
3048 except that upon a showing of hardship to the appropriate
3049 commissioner, an agency may be granted relief. Any agency accredited
3050 by an appropriate national accrediting body on June 30, 1989, shall
3051 continue such accreditation through June 30, 1990.

3052 (c) The Commissioner of [Developmental] Human Services, in
3053 consultation with [the Commissioners of Mental Health and Addiction
3054 Services, Social Services and] any other agency which pays for
3055 employment opportunities and day services, shall adopt regulations,
3056 in accordance with chapter 54, to implement the provisions of
3057 subsection (a) of this section.

3058 Sec. 127. Subsections (a) to (c), inclusive, of section 17a-247b of the
3059 general statutes are repealed and the following is substituted in lieu
3060 thereof (*Effective October 1, 2010*):

3061 (a) The Department of [Developmental] Human Services shall
3062 establish and maintain a registry of individuals who have been
3063 terminated or separated from employment as a result of substantiated
3064 abuse or neglect. The department shall, for the purposes of
3065 maintaining the registry, be capable of responding to inquiries in
3066 accordance with subsection (c) of this section as to whether an
3067 individual has been terminated or separated from employment as a
3068 result of substantiated abuse or neglect. Such capability may include
3069 response by telephone voice mail or other automated response for
3070 initial inquiries.

3071 (b) The registry shall include, but not be limited to, the following: (1)
3072 The names, addresses and Social Security numbers of those
3073 individuals terminated or separated from employment as a result of
3074 substantiated abuse or neglect; (2) the date of termination or
3075 separation; (3) the type of abuse or neglect; and (4) the name of any
3076 employer or authorized agency requesting information from the
3077 registry, the reason for the request and the date of the request.

3078 (c) The department shall make information in the registry available
3079 only to: (1) Authorized agencies, for the purpose of protective service
3080 determinations; or (2) employers who employ individuals to provide
3081 services to a department client. [; or (3) the Departments of Children
3082 and Families and Mental Health and Addiction Services, for the
3083 purpose of determining whether an applicant for employment appears
3084 on the registry.]

3085 Sec. 128. Section 17a-248 of the general statutes is repealed and the
3086 following is substituted in lieu thereof (*Effective October 1, 2010*):

3087 As used in this section and sections 17a-248b to 17a-248g, inclusive,
3088 38a-490a and 38a-516a, unless the context otherwise requires:

3089 (1) "Commissioner" means the Commissioner of Developmental
3090 Services.

3091 (2) "Council" means the State Interagency Birth-to-Three

3092 Coordinating Council established pursuant to section 17a-248b.

3093 (3) "Early intervention services" means early intervention services,
3094 as defined in 34 CFR Part 303.12, as from time to time amended.

3095 (4) "Eligible children" means children from birth to thirty-six months
3096 of age, who are not eligible for special education and related services
3097 pursuant to sections 10-76a to 10-76h, inclusive, and who need early
3098 intervention services because such children are:

3099 (A) Experiencing a significant developmental delay as measured by
3100 standardized diagnostic instruments and procedures, including
3101 informed clinical opinion, in one or more of the following areas: (i)
3102 Cognitive development; (ii) physical development, including vision or
3103 hearing; (iii) communication development; (iv) social or emotional
3104 development; or (v) adaptive skills; or

3105 (B) Diagnosed as having a physical or mental condition that has a
3106 high probability of resulting in developmental delay.

3107 (5) "Evaluation" means a multidisciplinary professional, objective
3108 assessment conducted by appropriately qualified personnel in order to
3109 determine a child's eligibility for early intervention services.

3110 (6) "Individualized family service plan" means a written plan for
3111 providing early intervention services to an eligible child and the child's
3112 family.

3113 (7) "Lead agency" means the Department of Developmental
3114 Services, the public agency responsible for the administration of the
3115 birth-to-three system in collaboration with the participating agencies.

3116 (8) "Parent" means the child's parent or a person in a parental
3117 relationship to the child. With respect to a child who has no parent or
3118 person in a parental relationship, "parent" means the person
3119 designated to serve in a parental relationship for the purposes of this
3120 section and sections 17a-248b to 17a-248g, inclusive, 38a-490a and 38a-
3121 516a, pursuant to regulations of the Department of [Developmental]

3122 Human Services, adopted in accordance with chapter 54, [in
3123 consultation with the Department of Children and Families,] for
3124 children in foster care.

3125 (9) "Participating agencies" includes, but is not limited to, the
3126 Departments of Education, [Social Services, Public Health, Children
3127 and Families and Developmental] and Human Services, the Insurance
3128 Department, the Board of Education and Services for the Blind, the
3129 Commission on the Deaf and Hearing Impaired and the Office of
3130 Protection and Advocacy for Persons with Disabilities.

3131 (10) "Qualified personnel" means persons who meet the standards
3132 specified in 34 CFR Part 303.12(e), as from time to time amended, and
3133 who are licensed physicians or psychologists or persons holding a
3134 state-approved or recognized license, certificate or registration in one
3135 or more of the following fields: (A) Special education, including
3136 teaching of the blind and the deaf; (B) speech and language pathology
3137 and audiology; (C) occupational therapy; (D) physical therapy; (E)
3138 social work; (F) nursing; (G) dietary or nutritional counseling; and (H)
3139 other fields designated by the commissioner that meet requirements
3140 that apply to the area in which the person is providing early
3141 intervention services, provided there is no conflict with existing
3142 professional licensing, certification and registration requirements.

3143 (11) "Region" means a region within the Department of
3144 Developmental Services.

3145 (12) "Service coordinator" means a person carrying out service
3146 coordination, as defined in 34 CFR Part 303.22, as from time to time
3147 amended.

3148 (13) "Primary care provider" means physicians and advanced
3149 practice registered nurses, licensed by the Department of Public
3150 Health, who are responsible for performing or directly supervising the
3151 primary care services for children enrolled in the birth-to-three
3152 program.

3153 Sec. 129. Section 17a-277 of the general statutes is repealed and the
3154 following is substituted in lieu thereof (*Effective October 1, 2010*):

3155 The director of any state training school, regional facility or other
3156 facility for the care and training of persons with mental retardation
3157 may place any resident with mental retardation committed or
3158 admitted to such training school, regional facility or other facility
3159 provided for the care and training of persons with mental retardation,
3160 under the provisions of sections 17a-210 to 17a-247, inclusive, and 17a-
3161 273, in a private boarding home, group home or other residential
3162 facility to be cared for in accordance with the following conditions:

3163 (1) Such resident shall, despite such transfer, remain subject to the
3164 control of the director of such training school, regional facility or other
3165 facility provided for the care and training of persons with mental
3166 retardation and the director may, at any time, order and provide for
3167 the return of any such resident to such training school, regional facility
3168 or other facility provided for the care and training of persons with
3169 mental retardation, subject to any limitations of the term of
3170 commitment contained in the order of commitment under which such
3171 resident was committed;

3172 (2) When the transfer of any such resident has been authorized or
3173 when, having been transferred to a private boarding home, group
3174 home or other residential facility for persons with mental retardation,
3175 such resident has been returned to the training school, regional facility
3176 or other facility, the director of such training school, regional facility or
3177 other facility shall forthwith so notify the Commissioner of
3178 [Developmental] Human Services;

3179 (3) Such private boarding home, group home or other residential
3180 facility shall be licensed by the Department of [Developmental
3181 Services, the Department of Children and Families or the Department
3182 of Public Health] Human Services under such regulations as the
3183 [departments adopt] department adopts, in accordance with chapter
3184 54; and

3185 (4) The Commissioner of [Developmental] Human Services shall,
3186 upon request, be given access to the complete record of any resident
3187 placed in a private boarding home, group home or other residential
3188 facility pursuant to this section.

3189 Sec. 130. Subsection (i) of section 17a-451 of the 2010 supplement to
3190 the general statutes is repealed and the following is substituted in lieu
3191 thereof (*Effective October 1, 2010*):

3192 (i) The commissioner shall be responsible for the coordination of all
3193 activities in the state relating to substance use disorders and treatment,
3194 including activities of the Departments of [Children and Families,]
3195 Correction [, Public Health, Social Services] and Veterans' Affairs, the
3196 Judicial Branch and any other department or entity providing services
3197 to persons with substance use disorders.

3198 Sec. 131. Section 17a-453b of the general statutes is repealed and the
3199 following is substituted in lieu thereof (*Effective October 1, 2010*):

3200 The Commissioner of [Social Services and the Commissioner of
3201 Mental Health and Addiction] Human Services shall seek a waiver
3202 from federal law for the purposes of conducting community based
3203 services for rehabilitation and restoration of functions for persons
3204 eligible under the behavioral health managed care program
3205 established by section 17a-453a.

3206 Sec. 132. Section 17a-453c of the general statutes is repealed and the
3207 following is substituted in lieu thereof (*Effective October 1, 2010*):

3208 There shall be [an interagency collaboration] a program, to be
3209 known as "Project Safe", [between the Department of Mental Health
3210 and Addiction Services and the Department of Children and Families,]
3211 for the evaluation of and service delivery to families identified by the
3212 Department of [Children and Families] Human Services as requiring
3213 substance abuse and other behavioral health services. Such
3214 [collaboration] program shall include, but not be limited to,
3215 evaluations, service needs, service delivery, housing, medical

3216 coverage, vocation and employment support and other related
3217 recovery support services. [The Commissioner of Mental Health and
3218 Addiction Services and the Commissioner of Children and Families
3219 shall enter into a written memorandum of understanding to carry out
3220 the interagency collaboration required under this section.] The
3221 Department of Social Services and the Labor Department may
3222 participate in such [collaboration] program as necessary on a case-by-
3223 case basis.

3224 Sec. 133. Section 17a-453d of the 2010 supplement to the general
3225 statutes is repealed and the following is substituted in lieu thereof
3226 (*Effective October 1, 2010*):

3227 The Department of [Mental Health and Addiction] Human Services,
3228 in collaboration with the [Department of Children and Families and
3229 the] Department of Veterans' Affairs, shall provide behavioral health
3230 services, on a transitional basis, for the dependents and any member of
3231 any reserve component of the armed forces of the United States who
3232 has been called to active service in the armed forces of this state or the
3233 United States for Operation Enduring Freedom or Operation Iraqi
3234 Freedom. Such transitional services shall be provided when no
3235 Department of Defense coverage for such services is available or such
3236 member is not eligible for such services through the Department of
3237 Defense, until an approved application is received from the federal
3238 Department of Veterans' Affairs and coverage is available to such
3239 member and such member's dependents.

3240 Sec. 134. Subsection (b) of section 17a-468b of the general statutes is
3241 repealed and the following is substituted in lieu thereof (*Effective*
3242 *October 1, 2010*):

3243 (b) Notwithstanding the provisions of chapters 368v and 368z,
3244 community-based organizations may operate residences for adult
3245 persons with acquired brain injuries. Notwithstanding the provisions
3246 of chapter 378, medication may be administered to persons residing in
3247 such residences by trained persons pursuant to the written order of a

3248 physician licensed under chapter 370, a dentist licensed under chapter
3249 379, an advanced practice registered nurse licensed to prescribe in
3250 accordance with section 20-94a, or a physician assistant licensed to
3251 prescribe in accordance with section 20-12d. The Commissioner of
3252 [Public Health, in consultation with the Commissioner of Mental
3253 Health and Addiction] Human Services [.] shall develop standards for
3254 the operation of such residences and the training required of persons
3255 authorized under this section to administer medications in such
3256 residences.

3257 Sec. 135. Section 17a-474 of the 2010 supplement to the general
3258 statutes is repealed and the following is substituted in lieu thereof
3259 (*Effective October 1, 2010*):

3260 Whenever any person has been committed by any court to any state
3261 hospital for persons with psychiatric disabilities, or child care facility,
3262 the Commissioner of [Mental Health and Addiction Services, the
3263 Commissioner of Children and Families, as appropriate,] Human
3264 Services or any person interested may, at any time thereafter, make
3265 application to the court making the order of commitment for a
3266 revocation or modification of such order or of the terms and conditions
3267 thereof. Such court shall thereupon order such notice of the time and
3268 place of hearing thereon as it deems advisable, shall hear and
3269 determine such application and may thereupon revoke, modify or
3270 affirm such order, and the action of the court thereon shall be subject
3271 to appeal as in other cases. Any individual receiving care in a hospital
3272 for persons with psychiatric disabilities may be transferred to any
3273 other state hospital for persons with psychiatric disabilities by order of
3274 the court making the original commitment of such individual, upon
3275 application in writing by the superintendent of the hospital from
3276 which such transfer is to be made. Such court shall transmit copies of
3277 such order forthwith to the Commissioner of [Mental Health and
3278 Addiction Services or the Commissioner of Children and Families, as
3279 appropriate,] Human Services and the hospital from which transfer is
3280 made shall pay all costs of such order and transfer. [Said
3281 commissioners] The Commissioner of Human Services may at any

3282 time cause an individual receiving care in a state hospital for persons
3283 with psychiatric disabilities to be removed to another state hospital for
3284 persons with psychiatric disabilities, as the circumstances or necessities
3285 of the case may require.

3286 Sec. 136. Section 17a-475a of the general statutes is repealed and the
3287 following is substituted in lieu thereof (*Effective October 1, 2010*):

3288 The [Commissioners of Mental Health and Addiction Services and
3289 Developmental Services] Commissioner of Human Services shall
3290 provide mammographic and pelvic examinations, as needed,
3291 according to the standards set by the American College of
3292 Obstetricians and Gynecology, to patients being cared for in state-
3293 operated facilities, as defined in subsection (c) of section 17a-458, or in
3294 any institution or facility operated by the Department of
3295 [Developmental] Human Services.

3296 Sec. 137. Section 17a-485a of the general statutes is repealed and the
3297 following is substituted in lieu thereof (*Effective October 1, 2010*):

3298 (a) Expenditures from the Community Mental Health Strategic
3299 Investment Fund established under section 17a-485 shall be made in
3300 accordance with a community mental health strategic plan and
3301 financial assistance plan adopted by the Community Mental Health
3302 Strategy Board established under section 17a-485b on or before
3303 January 1, 2002, and annually thereafter. Such strategic plan shall be
3304 consistent with other applicable state plans for mental health services.

3305 (b) The Commissioners of [Mental Health and Addiction Services,
3306 Children and Families] Human Services, Economic and Community
3307 Development, Education [,] and Correction, [Public Health and Social
3308 Services,] the Secretary of the Office of Policy and Management and
3309 the Chief Court Administrator shall provide such information,
3310 including, but not limited to, information regarding needs
3311 assessments, program reviews and program revenues and expenses,
3312 and make such recommendations for expenditures from the account
3313 established under section 17a-485, as may be requested by the board.

3314 Sec. 138. Subsection (a) of section 17a-485b of the general statutes is
3315 repealed and the following is substituted in lieu thereof (*Effective*
3316 *October 1, 2010*):

3317 (a) There is established a Community Mental Health Strategy Board.
3318 The voting members of the board shall be appointed as follows: (1)
3319 Two members by the Governor; (2) two members by the president pro
3320 tempore of the Senate; (3) two members by the speaker of the House of
3321 Representatives; (4) one member by the majority leader of the Senate;
3322 (5) one member by the majority leader of the House of Representatives;
3323 (6) two members by the minority leader of the Senate; (7) two members
3324 by the minority leader of the House of Representatives; and (8) the
3325 Commissioner of [Children and Families; and (9) the Commissioner of
3326 Mental Health and Addiction] Human Services, who shall serve as
3327 chairperson. The Secretary of the Office of Policy and Management, the
3328 Chief Court Administrator and the Commissioners of Economic and
3329 Community Development, Education [,] and Correction, [Public
3330 Health and Social Services,] or their designees, shall serve as
3331 nonvoting ex-officio members of the board. Board members shall serve
3332 without compensation but shall be reimbursed for their necessary
3333 expenses. All initial appointments to the board shall be made not later
3334 than September 1, 2001. The Commissioner of [Mental Health and
3335 Addiction] Human Services shall convene the first meeting of the
3336 board not later than September 15, 2001.

3337 Sec. 139. Section 17a-485c of the general statutes is repealed and the
3338 following is substituted in lieu thereof (*Effective October 1, 2010*):

3339 (a) The Commissioner of [Mental Health and Addiction] Human
3340 Services, in collaboration with the [Commissioners of Social Services,
3341 Children and Families and] Commissioner of Economic and
3342 Community Development and the Connecticut Housing Finance
3343 Authority, shall establish a Supportive Housing Initiative to provide
3344 additional units of affordable housing and support services to eligible
3345 persons. The Supportive Housing Initiative shall be implemented in
3346 two phases with the first phase to be known as the Supportive

3347 Housing Pilots Initiative and the second phase to be known as the
3348 Next Steps Initiative.

3349 (b) The Supportive Housing Pilots Initiative shall provide up to six
3350 hundred fifty additional units of affordable housing and support
3351 services to eligible households, as defined in section 17a-484a, and to
3352 persons with serious mental health needs who are community-
3353 supervised offenders supervised by the executive or judicial branch.
3354 Such housing shall be permanent supportive housing or transitional
3355 living programs, and the permanent supportive housing may include
3356 both individuals and families with special needs and individuals and
3357 families without such needs.

3358 (c) The Next Steps Initiative shall provide up to one thousand
3359 additional units of affordable housing and support services to: (1)
3360 Eligible households, as defined in section 17a-484a; (2) families who
3361 are eligible under the state plan for the federal temporary assistance
3362 for needy families program; (3) adults who are eighteen to twenty-
3363 three years of age, inclusive, and who are homeless, or at risk for
3364 becoming homeless because they are transitioning from foster care or
3365 other residential programs; and (4) persons with serious mental health
3366 needs who are community-supervised offenders supervised by the
3367 executive or judicial branch. Such housing shall be permanent
3368 supportive housing and may include both individuals and families
3369 with special needs and individuals and families without such needs.

3370 (d) The Connecticut Housing Finance Authority shall issue one or
3371 more requests for proposals by persons or entities interested in
3372 participating in such initiative with priority given to applicants that
3373 include organizations deemed qualified to provide services by the
3374 [Departments of Mental Health and Addiction Services, Social Services
3375 and Children and Families] Department of Human Services. The
3376 Connecticut Housing Finance Authority shall review and underwrite
3377 projects developed under the Supportive Housing Initiative. For
3378 purposes of this subsection, "state assistance" means a payment by the
3379 state of actual debt service, comprised of principal, interest, interest

3380 rate swap payments, liquidity fees, letter of credit fees, trustee fees,
3381 and other similar bond-related expenses.

3382 Sec. 140. Section 17a-485d of the general statutes is repealed and the
3383 following is substituted in lieu thereof (*Effective October 1, 2010*):

3384 (a) The Department of [Mental Health and Addiction Services, in
3385 consultation with the Department of Social Services,] Human Services
3386 shall conduct a study concerning the implementation of adult
3387 rehabilitation services under Medicaid. Not later than February 1,
3388 2002, the departments shall jointly submit a report of their findings
3389 and recommendations to the Governor and to the joint standing
3390 committees of the General Assembly having cognizance of matters
3391 relating to public health, human services and appropriations and the
3392 budgets of state agencies, in accordance with the provisions of section
3393 11-4a. The report shall include, but not be limited to, an
3394 implementation plan, a cost benefit analysis and a description of the
3395 plan's impact on existing services.

3396 (b) The Department of [Mental Health and Addiction Services and
3397 the Department of Social] Human Services shall conduct a study
3398 concerning the advisability of entering into an interagency agreement
3399 pursuant to which the Department of [Mental Health and Addiction]
3400 Human Services would provide clinical management of mental health
3401 services, including, but not limited to, review and authorization of
3402 services, implementation of quality assurance and improvement
3403 initiatives and provision of case management services, for aged, blind
3404 or disabled adults enrolled in the Medicaid program to the extent
3405 permitted under federal law. Not later than February 1, 2002, the
3406 departments shall jointly submit a report of their findings and
3407 recommendations to the Governor and to the joint standing
3408 committees of the General Assembly having cognizance of matters
3409 relating to public health, human services and appropriations and the
3410 budgets of state agencies, in accordance with the provisions of section
3411 11-4a.

3412 (c) The Commissioner of [Social] Human Services shall take such
3413 action as may be necessary to amend the Medicaid state plan to
3414 provide for coverage of optional adult rehabilitation services supplied
3415 by providers of mental health services or substance abuse
3416 rehabilitation services for adults with serious and persistent mental
3417 illness or who have alcoholism or other substance abuse conditions,
3418 that are certified by the Department of [Mental Health and Addiction]
3419 Human Services. For the fiscal years ending June 30, 2004, and June 30,
3420 2005, up to three million dollars in each such fiscal year of any moneys
3421 received by the state as federal reimbursement for optional Medicaid
3422 adult rehabilitation services shall be credited to the Community
3423 Mental Health Restoration subaccount within the account established
3424 under section 17a-485 and shall be available for use for the purposes of
3425 the subaccount. The Commissioner of [Social] Human Services shall
3426 adopt regulations, in accordance with the provisions of chapter 54, to
3427 implement optional rehabilitation services under the Medicaid
3428 program. The commissioner shall implement policies and procedures
3429 to administer such services while in the process of adopting such
3430 policies or procedures in regulation form, provided notice of intention
3431 to adopt the regulations is printed in the Connecticut Law Journal
3432 within forty-five days of implementation, and any such policies or
3433 procedures shall be valid until the time final regulations are effective.

3434 (d) Not later than February 1, 2006, the Commissioner of [Mental
3435 Health and Addiction Services, in consultation with the
3436 Commissioners of Children and Families and Social] Human Services
3437 shall report, in accordance with the provisions of section 11-4a, to the
3438 joint standing committees of the General Assembly having cognizance
3439 of matters relating to public health, human services and appropriations
3440 and the budgets of state agencies, on any moneys received by the state
3441 as federal Medicaid reimbursement for providing coverage of optional
3442 rehabilitation services for children and adults.

3443 (e) The Commissioner of [Mental Health and Addiction] Human
3444 Services shall have the authority to certify providers of mental health
3445 or substance abuse rehabilitation services for adults with serious and

3446 persistent mental illness or who have alcoholism or other substance
3447 abuse conditions for the purpose of coverage of optional rehabilitation
3448 services. The Commissioner of [Mental Health and Addiction] Human
3449 Services shall adopt regulations, in accordance with the provisions of
3450 chapter 54, for purposes of certification of such providers. The
3451 commissioner shall implement policies and procedures for purposes of
3452 such certification while in the process of adopting such policies or
3453 procedures in regulation form, provided notice of intention to adopt
3454 the regulations is printed in the Connecticut Law Journal no later than
3455 twenty days after implementation and any such policies and
3456 procedures shall be valid until the time the regulations are effective.

3457 Sec. 141. Section 17a-487 of the general statutes is repealed and the
3458 following is substituted in lieu thereof (*Effective October 1, 2010*):

3459 [(a) If a serious injury or unexpected death occurs involving a
3460 person being served by the Department of Mental Health and
3461 Addiction Services and the Department of Children and Families, each
3462 agency may share, in accordance with applicable federal privacy laws,
3463 information and records in its custody relating to the care and
3464 treatment of said person with the other agency without the consent of
3465 said person, provided the information shared is necessary to allow
3466 each agency to assist the other in investigating such occurrence and
3467 identifying risk factors that might prevent the occurrence of a similar
3468 serious injury or unexpected death.]

3469 [(b)] The finding of any investigation of a serious injury or
3470 unexpected death conducted by the Department of [Mental Health and
3471 Addiction Services and the Department of Children and Families]
3472 Human Services shall not be subject to disclosure pursuant to section
3473 1-210, nor shall such findings be subject to discovery or introduction
3474 into evidence in any civil action arising out of such serious injury or
3475 death. Nothing in this section shall be construed as restricting
3476 disclosure of confidential communications or records upon which such
3477 finding is based where such disclosure is otherwise required by law.
3478 No person who participated in an investigation conducted pursuant to

3479 this section shall be permitted or required to testify in any civil action
3480 as to the content of such action; except that the provisions of this
3481 section shall not preclude (1) in any civil action (A) the use of any
3482 writing that was created independently of such action; (B) the
3483 testimony of any person concerning the facts that formed the basis for
3484 the institution of such action; or (C) disclosure of the fact that staff
3485 privileges were terminated or restricted, including the specific
3486 restriction imposed, if any, or (2) in any health care provider
3487 proceedings concerning the termination or restriction of staff
3488 privileges, the use of data discussed or developed during an
3489 investigation.

3490 Sec. 142. Section 17a-511 of the general statutes is repealed and the
3491 following is substituted in lieu thereof (*Effective October 1, 2010*):

3492 (a) Any person who has been committed by any court to a hospital
3493 for psychiatric disabilities may be transferred to any other hospital for
3494 psychiatric disabilities upon agreement of the superintendents of the
3495 respective institutions from and to which it is desired to make such
3496 transfer, subject to the approval of the Commissioner of [Mental
3497 Health and Addiction Services, or, in the case of a person under
3498 eighteen years of age, the approval of the Commissioner of Children
3499 and Families] Human Services. Such agreement shall be in writing,
3500 executed in triplicate and in accordance with a form prescribed by the
3501 Attorney General, which form shall be uniform throughout the state.
3502 One copy of such agreement shall be filed for record in the court by
3503 which such person was committed and one copy retained in the files of
3504 each of the institutions participating in such transfer. Any such
3505 agreement shall have the same effect as an order of the court
3506 committing the person named therein. The conservator, overseer or
3507 any member of the family of any person so transferred, or his or her
3508 next friend, may make application to the court which made the order
3509 of commitment, for a revocation or modification of such agreement,
3510 and thereupon such court shall order such notice of the time and place
3511 of hearing thereon as it finds reasonable and upon such hearing may
3512 revoke, modify or affirm such transfer.

3513 (b) Any person who has been voluntarily admitted to a hospital for
3514 psychiatric disabilities pursuant to section 17a-506 may, with the
3515 informed consent of such person, be transferred to any other hospital
3516 for psychiatric disabilities. If that person is subject to the jurisdiction of
3517 the Commissioner of [Mental Health and Addiction] Human Services,
3518 the transfer shall require the agreement of the superintendents of the
3519 respective institutions from and to which it is desired to make the
3520 transfer and the approval of the Commissioner of [Mental Health and
3521 Addiction] Human Services. [If that person is under eighteen years of
3522 age and subject to the jurisdiction of the Commissioner of Children
3523 and Families, the transfer shall require the agreement of the
3524 superintendents of the respective institutions from and to which it is
3525 desired to make the transfer and the approval of the Commissioner of
3526 Children and Families.] An agreement to transfer under this subsection
3527 shall be in writing, executed in triplicate and in accordance with a form
3528 prescribed by the Attorney General, which form shall be uniform
3529 throughout the state. One copy of the agreement shall be retained in
3530 the files of each of the institutions participating in the transfer and one
3531 copy shall be provided to the person who has been voluntarily
3532 admitted or to that person's authorized representative. A transfer
3533 under this subsection shall not affect the person's rights under the
3534 voluntary admission.

3535 Sec. 143. Section 17a-560 of the general statutes is repealed and the
3536 following is substituted in lieu thereof (*Effective October 1, 2010*):

3537 As used in sections 17a-560 to 17a-576, inclusive, unless specifically
3538 provided otherwise, "division", means the Whiting Forensic Division,
3539 including the diagnostic unit established under the provisions of
3540 section 17a-562, or any other facility of the Department of [Mental
3541 Health and Addiction] Human Services which the commissioner may
3542 designate as appropriate. The words "institute" or "diagnostic unit", as
3543 used in sections 17a-566, 17a-567, 17a-570 and 17a-576 when applied to
3544 children or youths under the age of eighteen, mean any facility of the
3545 Department of [Children and Families] Human Services designated by
3546 the Commissioner of [Children and Families] Human Services. "Board"

3547 means the advisory and review board appointed under the provisions
3548 of section 17a-565. "Commissioner" means the Commissioner of
3549 [Mental Health and Addiction Services or in the case of children, the
3550 Commissioner of Children and Families] Human Services.

3551 Sec. 144. Subsection (a) of section 17a-582 of the general statutes is
3552 repealed and the following is substituted in lieu thereof (*Effective*
3553 *October 1, 2010*):

3554 (a) When any person charged with an offense is found not guilty by
3555 reason of mental disease or defect pursuant to section 53a-13, the court
3556 shall order such acquittee committed to the custody of the
3557 Commissioner of [Mental Health and Addiction] Human Services
3558 [who shall cause such acquittee] to be confined, pending an order of
3559 the court pursuant to subsection (e) of this section, in any of the state
3560 hospitals for psychiatric disabilities or [to the custody of the
3561 Commissioner of Developmental Services,] for an examination to
3562 determine his mental condition.

3563 Sec. 145. Subsection (b) of section 17a-667 of the general statutes is
3564 repealed and the following is substituted in lieu thereof (*Effective*
3565 *October 1, 2010*):

3566 (b) The council shall consist of the following members: (1) The
3567 Secretary of the Office of Policy and Management, or the secretary's
3568 designee; (2) the Commissioners of [Children and Families,] Consumer
3569 Protection, Correction, Education, Higher Education, [Mental Health
3570 and Addiction Services] Human Services, Motor Vehicles, [Public
3571 Health,] Public Safety [, Social Services] and Transportation and the
3572 Insurance Commissioner, or their designees; (3) the Chief Court
3573 Administrator, or the Chief Court Administrator's designee; (4) the
3574 chairperson of the Board of Pardons and Paroles, or the chairperson's
3575 designee; (5) the Chief State's Attorney, or the Chief State's Attorney's
3576 designee; (6) the Chief Public Defender, or the Chief Public Defender's
3577 designee; and (7) the cochairpersons and ranking members of the joint
3578 standing committees of the General Assembly having cognizance of

3579 matters relating to public health, criminal justice and appropriations,
3580 or their designees. The Commissioner of [Mental Health and Addiction
3581 Services and the Commissioner of Children and Families] Human
3582 Services shall be [cochairpersons] chairperson of the council. The
3583 Office of Policy and Management shall, within available
3584 appropriations, provide staff for the council.

3585 Sec. 146. Subsection (c) of section 17b-4 of the general statutes is
3586 repealed and the following is substituted in lieu thereof (*Effective*
3587 *October 1, 2010*):

3588 (c) The Department of [Social Services, in conjunction with the
3589 Department of Public Health,] Human Services may adopt regulations
3590 in accordance with the provisions of chapter 54 to establish
3591 requirements with respect to the submission of reports concerning
3592 financial solvency and quality of care by nursing homes for the
3593 purpose of determining the financial viability of such homes,
3594 identifying homes that appear to be experiencing financial distress and
3595 examining the underlying reasons for such distress. Such reports shall
3596 be submitted to the Nursing Home Financial Advisory Committee
3597 established under section 17b-339.

3598 Sec. 147. Subsection (b) of section 17b-6 of the general statutes is
3599 repealed and the following is substituted in lieu thereof (*Effective*
3600 *October 1, 2010*):

3601 (b) The [Commissioners of Social Services and Public Health,]
3602 Commissioner of Human Services and the Secretary of the Office of
3603 Policy and Management, on behalf of other state agencies, shall ensure
3604 that the following intra-agency and interagency goals are addressed
3605 and met: (1) The establishment by the Office of Policy and
3606 Management pursuant to section 16a-4a of not more than six uniform
3607 regional service delivery areas to be developed in consideration of (A)
3608 geographical size; (B) general population distribution; (C) agency
3609 target population and caseload; (D) location of department facilities;
3610 (E) the accessibility of transportation for clients to service delivery

3611 offices and for workers to clients and (F) any federal requirements; (2)
3612 the coordination by the Office of Policy and Management pursuant to
3613 section 16a-4a of the regional service delivery areas of other state
3614 agencies which provide services closely linked with health and human
3615 services programs with the regional service delivery areas developed
3616 pursuant to subdivision (1) of this subsection; (3) the decentralization
3617 of the service delivery operations of each agency to provide as much
3618 autonomy as possible to each regional office enabling the office to
3619 respond effectively to the particular service needs of the region; (4)
3620 coordinated control and direction for programs to ensure consistency
3621 and uniformity among the regions in the development and provision
3622 of services; (5) the development of a strategic planning unit in the
3623 office of each commissioner to centralize policy development and
3624 planning within the agency and promote interagency coordination of
3625 health and human services planning and policy development; (6)
3626 development of a common intake process for entry into the health and
3627 human services system for information and referral, screening,
3628 eligibility determinations and service delivery; (7) the creation of a
3629 single application form for client intake and eligibility determinations
3630 with a common client identifier; (8) development of a commonly-
3631 linked computerized management information system with the
3632 capacity to track clients and determine eligibility across programs; (9)
3633 the coordination of current advisory boards and councils to provide
3634 input and expertise from consumers, advocates and other interested
3635 parties to the commissioners; and (10) the encouragement of
3636 collaborations that will foster the development and maintain the client-
3637 focused structure of the health and human services system, as well as
3638 involve partnerships between clients and their service providers.

3639 Sec. 148. Subsection (a) of section 17b-28 of the 2010 supplement to
3640 the general statutes is repealed and the following is substituted in lieu
3641 thereof (*Effective October 1, 2010*):

3642 (a) There is established a council which shall advise the
3643 Commissioner of [Social] Human Services on the planning and
3644 implementation of a system of Medicaid managed care and shall

3645 monitor such planning and implementation and shall advise the
3646 Waiver Application Development Council, established pursuant to
3647 section 17b-28a, on matters including, but not limited to, eligibility
3648 standards, benefits, access and quality assurance. The council shall be
3649 composed of the chairpersons and ranking members of the joint
3650 standing committees of the General Assembly having cognizance of
3651 matters relating to human services, public health and appropriations
3652 and the budgets of state agencies, or their designees; two members of
3653 the General Assembly, one to be appointed by the president pro
3654 tempore of the Senate and one to be appointed by the speaker of the
3655 House of Representatives; the director of the Commission on Aging, or
3656 a designee; the director of the Commission on Children, or a designee;
3657 a representative of each organization that has been selected by the state
3658 to provide managed care and a representative of a primary care case
3659 management provider, to be appointed by the president pro tempore
3660 of the Senate; two representatives of the insurance industry, to be
3661 appointed by the speaker of the House of Representatives; two
3662 advocates for persons receiving Medicaid, one to be appointed by the
3663 majority leader of the Senate and one to be appointed by the minority
3664 leader of the Senate; one advocate for persons with substance use
3665 disorders, to be appointed by the majority leader of the House of
3666 Representatives; one advocate for persons with psychiatric disabilities,
3667 to be appointed by the minority leader of the House of
3668 Representatives; two advocates for the Department of Children and
3669 Families foster families, one to be appointed by the president pro
3670 tempore of the Senate and one to be appointed by the speaker of the
3671 House of Representatives; two members of the public who are
3672 currently recipients of Medicaid, one to be appointed by the majority
3673 leader of the House of Representatives and one to be appointed by the
3674 minority leader of the House of Representatives; [two representatives
3675 of the Department of Social Services, to be appointed by the
3676 Commissioner of Social Services; two representatives of the
3677 Department of Public Health, to be appointed by the Commissioner of
3678 Public Health; two representatives of the Department of Mental Health
3679 and Addiction Services, to be appointed by the Commissioner of

3680 Mental Health and Addiction Services; two representatives of the
3681 Department of Children and Families, to be appointed by the
3682 Commissioner of Children and Families] two representatives of the
3683 Department of Human Services, to be appointed by the Commissioner
3684 of Human Services; two representatives of the Office of Policy and
3685 Management, to be appointed by the Secretary of the Office of Policy
3686 and Management; one representative of the office of the State
3687 Comptroller, to be appointed by the State Comptroller and the
3688 members of the Health Care Access Board who shall be ex-officio
3689 members and who may not designate persons to serve in their place.
3690 The council shall choose a chair from among its members. The Joint
3691 Committee on Legislative Management shall provide administrative
3692 support to such chair. The council shall convene its first meeting no
3693 later than June 1, 1994.

3694 Sec. 149. Section 17b-28a of the general statutes is repealed and the
3695 following is substituted in lieu thereof (*Effective October 1, 2010*):

3696 (a) There is established a Waiver Application Development Council
3697 that shall be composed of the following members: The chairpersons
3698 and ranking members of the joint standing committee of the General
3699 Assembly having cognizance of matters relating to appropriations, or
3700 their designees; the chairpersons and ranking members of the joint
3701 standing committee of the General Assembly having cognizance of
3702 matters relating to human services, or their designees; the chairpersons
3703 and ranking members of the joint standing committee of the General
3704 Assembly having cognizance of matters relating to public health, or
3705 their designees; [the Commissioner of Social Services, or his designee;
3706 the Commissioner of Public Health, or his designee; the Commissioner
3707 of Mental Health and Addiction Services, or his designee; the
3708 Commissioner of Developmental Services, or his designee;] the
3709 Commissioner of Human Services, or the commissioner's designee; the
3710 Secretary of the Office of Policy and Management, or [his] the
3711 commissioner's designee; the State Comptroller, or [his] the
3712 Comptroller's designee; a representative of advocacy for mental
3713 retardation to be appointed by the president pro tempore of the Senate;

3714 a representative of advocacy for the elderly to be appointed by the
3715 majority leader of the Senate; a representative of the nursing home
3716 industry to be appointed by the minority leader of the Senate; a
3717 representative of the home health care industry, independent of the
3718 nursing home industry, to be appointed by the speaker of the House of
3719 Representatives; a representative of the mental health profession to be
3720 appointed by the majority leader of the House of Representatives; a
3721 representative of the substance abuse profession to be appointed by
3722 the minority leader of the House of Representatives; a health care
3723 provider to be appointed by the president pro tempore of the Senate;
3724 two elderly consumers of Medicaid services who are also eligible for
3725 Medicare, to be appointed by the speaker of the House of
3726 Representatives; a representative of the managed care industry, to be
3727 appointed by the president pro tempore of the Senate; a social services
3728 care provider, to be appointed by the majority leader of the House of
3729 Representatives; a family support care provider, to be appointed by
3730 the majority leader of the Senate; two persons with disabilities who are
3731 consumers of Medicaid services, one to be appointed by the president
3732 pro tempore of the Senate and one to be appointed by the minority
3733 leader of the House of Representatives; a representative of legal
3734 advocacy for Medicaid clients, to be appointed by the minority leader
3735 of the Senate; and six members of the General Assembly, one member
3736 appointed by the president pro tempore of the Senate; one member
3737 appointed by the majority leader of the Senate; one member appointed
3738 by the minority leader of the Senate; one member appointed by the
3739 speaker of the House of Representatives; one member appointed by
3740 the majority leader of the House of Representatives; and one member
3741 appointed by the minority leader of the House of Representatives. The
3742 council shall be responsible for advising the Department of [Social]
3743 Human Services, which shall be the lead agency in the development of
3744 a Medicaid Research and Demonstration Waiver under Section 1115 of
3745 the Social Security Act for application to the Office of State Health
3746 Reform of the United States Department of Health and Human
3747 Services by May 1, 1996. The council shall advise the department with
3748 respect to specific provisions within the waiver application, including

3749 but not limited to, the identification of populations to be included in a
3750 managed care program, a timetable for inclusion of distinct
3751 populations, expansion of access to care, quality assurance and
3752 grievance procedures for consumers and providers. The council shall
3753 also advise the department with respect to the goals of the waiver,
3754 including but not limited to, the expansion of access and coverage,
3755 making state health spending more efficient and to the reduction of
3756 uncompensated care.

3757 (b) There is established a Medicaid waiver unit within the
3758 Department of [Social] Human Services for the purposes of developing
3759 the waiver under subsection (a) of this section. The Medicaid waiver
3760 unit's responsibilities shall include but not be limited to the following:
3761 (1) Administrating the Medicaid managed care program, established
3762 pursuant to section 17b-28; (2) contracting with and evaluating prepaid
3763 health plans providing Medicaid services, including negotiation and
3764 establishment of capitated rates; (3) assessing quality assurance
3765 information compiled by the federally required independent quality
3766 assurance contractor; (4) monitoring contractual compliance; (5)
3767 evaluating enrollment broker performance; (6) providing assistance to
3768 the Insurance Department for the regulation of Medicaid managed
3769 care health plans; and (7) developing a system to compare
3770 performance levels among prepaid health plans providing Medicaid
3771 services.

3772 Sec. 150. Section 17b-32 of the general statutes is repealed and the
3773 following is substituted in lieu thereof (*Effective October 1, 2010*):

3774 (a) The Department of Social Services shall, within available
3775 appropriations, [and in consultation with the Department of Public
3776 Health,] establish a pilot training program for nurse practitioners
3777 seeking to specialize in family practice to receive one year of formal
3778 training at a community-based health center located in an area
3779 designated by the federal Health Resources and Services
3780 Administration as a health professional shortage area, a medically
3781 underserved area or an area with medically underserved populations.

3782 (b) The Commissioner of [Social Services, in consultation with the
3783 Commissioner of Public Health,] Human Services shall establish
3784 eligibility requirements for participation in the program.

3785 (c) The pilot program shall commence on or before October 1, 2008,
3786 and shall terminate not later than October 1, 2010.

3787 (d) The Commissioner of [Social] Human Services shall report, in
3788 accordance with section 11-4a, to the joint standing committees of the
3789 General Assembly having cognizance of matters relating to human
3790 services and public health not later than January 1, 2011, concerning
3791 any increase in access to care at community-based health centers as a
3792 result of such pilot program.

3793 Sec. 151. Section 17b-33 of the 2010 supplement to the general
3794 statutes is repealed and the following is substituted in lieu thereof
3795 (*Effective October 1, 2010*):

3796 The Department of [Social] Human Services shall establish, within
3797 available appropriations, a fall prevention program. Within such
3798 program, the department shall:

3799 (1) Promote and support research to: (A) Improve the identification,
3800 diagnosis, treatment and rehabilitation of older adults and others who
3801 have a high risk of falling; (B) improve data collection and analysis to
3802 identify risk factors for falls and factors that reduce the likelihood of
3803 falls; (C) design, implement and evaluate the most effective fall
3804 prevention interventions; (D) improve intervention strategies that have
3805 been proven effective in reducing falls by tailoring such strategies to
3806 specific populations of older adults; (E) maximize the dissemination of
3807 proven, effective fall prevention interventions; (F) assess the risk of
3808 falls occurring in various settings; (G) identify barriers to the adoption
3809 of proven interventions with respect to the prevention of falls among
3810 older adults; (H) develop, implement and evaluate the most effective
3811 approaches to reducing falls among high-risk older adults living in
3812 communities and long-term care and assisted living facilities; and (I)
3813 evaluate the effectiveness of community programs designed to prevent

3814 falls among older adults;

3815 (2) Establish [, in consultation with the Commissioner of Public
3816 Health,] a professional education program in fall prevention,
3817 evaluation and management for physicians, allied health professionals
3818 and other health care providers who provide services for the elderly in
3819 this state. The Commissioner of [Social Services] Human Services may
3820 contract for the establishment of such program through (A) a request
3821 for proposal process, (B) a competitive grant program, or (C)
3822 cooperative agreements with qualified organizations, institutions or
3823 consortia of qualified organizations and institutions;

3824 (3) Oversee and support demonstration and research projects to be
3825 carried out by organizations, institutions or consortia of organizations
3826 and institutions deemed qualified by the Commissioner of [Social]
3827 Human Services. Such demonstration and research projects may be in
3828 the following areas:

3829 (A) Targeted fall risk screening and referral programs;

3830 (B) Programs designed for community-dwelling older adults that
3831 use fall intervention approaches, including physical activity,
3832 medication assessment and reduction of medication when possible,
3833 vision enhancement and home-modification strategies;

3834 (C) Programs that target new fall victims who are at a high risk for
3835 second falls and that are designed to maximize independence and
3836 quality of life for older adults, particularly those older adults with
3837 functional limitations;

3838 (D) Private sector and public-private partnerships to develop
3839 technologies to prevent falls among older adults and prevent or reduce
3840 injuries when falls occur; and

3841 (4) Award grants to, or enter into contracts or cooperative
3842 agreements with, organizations, institutions or consortia of
3843 organizations and institutions deemed qualified by the Commissioner

3844 of [Social] Human Services to design, implement and evaluate fall
3845 prevention programs using proven intervention strategies in
3846 residential and institutional settings.

3847 Sec. 152. Section 17b-90 of the general statutes is repealed and the
3848 following is substituted in lieu thereof (*Effective October 1, 2010*):

3849 (a) The commissioner shall adopt regulations, in accordance with
3850 chapter 54, necessary to enable him to carry out the programs the
3851 Department of [Social] Human Services is designated to administer
3852 pursuant to section 17b-2, including any regulations necessary for
3853 receiving grants from the federal government to this state if the
3854 absence of any such regulation would result in the loss of such grants
3855 and regulations governing the custody and use of the records, papers,
3856 files and communications concerning persons applying for or receiving
3857 assistance under said sections. When names and addresses of
3858 recipients of such assistance are required by law to be furnished to or
3859 held by any other government agency, such agency shall adopt
3860 regulations to prevent the publication of lists thereof or their use for
3861 purposes not directly connected with the administration of said
3862 programs.

3863 (b) No person shall, except for purposes directly connected with the
3864 administration of programs of the Department of [Social] Human
3865 Services and in accordance with the regulations of the commissioner,
3866 solicit, disclose, receive or make use of, or authorize, knowingly
3867 permit, participate in or acquiesce in the use of, any list of the names
3868 of, or any information concerning, persons applying for or receiving
3869 assistance from the Department of [Social] Human Services or persons
3870 participating in a program administered by said department, directly
3871 or indirectly derived from the records, papers, files or communications
3872 of the state or its subdivisions or agencies, or acquired in the course of
3873 the performance of official duties. The Commissioner of [Social]
3874 Human Services shall disclose (1) to any authorized representative of
3875 the Labor Commissioner such information directly related to
3876 unemployment compensation, administered pursuant to chapter 567

3877 or information necessary for implementation of sections 17b-688b, 17b-
3878 688c and 17b-688h and section 122 of public act 97-2 of the June 18
3879 special session, (2) [to any authorized representative of the
3880 Commissioner of Mental Health and Addiction Services any
3881 information necessary for the implementation and operation of the
3882 basic needs supplement program or for the management of and
3883 payment for behavioral health services for applicants for and
3884 recipients of state-administered general assistance, (3)] to any
3885 authorized representative of the Commissioner of Administrative
3886 Services, or the Commissioner of Public Safety such information as the
3887 state Commissioner of [Social] Human Services determines is directly
3888 related to and necessary for the Department of Administrative Services
3889 or the Department of Public Safety for purposes of performing their
3890 functions of collecting social services recoveries and overpayments or
3891 amounts due as support in social services cases, investigating social
3892 services fraud or locating absent parents of public assistance recipients,
3893 [(4) to any authorized representative of the Commissioner of Children
3894 and Families necessary information concerning a child or the
3895 immediate family of a child receiving services from the Department of
3896 Social Services, including safety net services, if the Commissioner of
3897 Children and Families or the Commissioner of Social Services has
3898 determined that imminent danger to such child's health, safety or
3899 welfare exists to target the services of the family services programs
3900 administered by the Department of Children and Families, (5)] (3) to a
3901 town official or other contractor or authorized representative of the
3902 Labor Commissioner such information concerning an applicant for or a
3903 recipient of financial or medical assistance under state-administered
3904 general assistance deemed necessary by said commissioners to carry
3905 out their respective responsibilities to serve such persons under the
3906 programs administered by the Labor Department that are designed to
3907 serve applicants for or recipients of state-administered general
3908 assistance, [(6) to any authorized representative of the Commissioner
3909 of Mental Health and Addiction Services for the purposes of the
3910 behavioral health managed care program established by section 17a-
3911 453, (7) to any authorized representative of the Commissioner of Public

3912 Health to carry out his or her respective responsibilities under
3913 programs that regulate child day care services or youth camps, or (8)]
3914 or (4) to a health insurance provider, in IV-D support cases, as defined
3915 in section 46b-231, information concerning a child and the custodial
3916 parent of such child that is necessary to enroll such child in a health
3917 insurance plan available through such provider when the noncustodial
3918 parent of such child is under court order to provide health insurance
3919 coverage but is unable to provide such information, provided the
3920 Commissioner of [Social] Human Services determines, after providing
3921 prior notice of the disclosure to such custodial parent and an
3922 opportunity for such parent to object, that such disclosure is in the best
3923 interests of the child. No such representative shall disclose any
3924 information obtained pursuant to this section, except as specified in
3925 this section. Any applicant for assistance provided through said
3926 department shall be notified that, if and when such applicant receives
3927 benefits, the department will be providing law enforcement officials
3928 with the address of such applicant upon the request of any such
3929 official pursuant to section 17b-16a.

3930 (c) In IV-D support cases, as defined in subdivision (13) of
3931 subsection (b) of section 46b-231, in addition to the prohibitions of
3932 subsection (b) of this section, no information shall be released
3933 concerning the whereabouts of one party to another party (1) against
3934 whom a protective order, a restraining order or a standing criminal
3935 restraining order with respect to the former party is in effect, or (2) if
3936 the department has reason to believe that the release of the information
3937 may result in physical or emotional harm to the former party.

3938 [(d) The Commissioner of Social Services shall provide written
3939 notice to a person applying for or receiving assistance from the
3940 Department of Social Services or a person participating in a program
3941 administered by said department that such person's address and
3942 telephone number may be provided to the Department of Children
3943 and Families pursuant to subdivision (2) of subsection (b) of this
3944 section.]

3945 [(e)] (d) Penalties prescribed by subsection (b) of section 17b-97 shall
3946 apply to violations of this section.

3947 Sec. 153. Section 17b-195 of the general statutes is repealed and the
3948 following is substituted in lieu thereof (*Effective October 1, 2010*):

3949 Notwithstanding any provision of the general statutes, when a
3950 person who is ineligible for financial assistance due to his
3951 employability status is currently in or enters a residential substance
3952 abuse treatment facility, the town shall pay his room and board while
3953 at such facility as an expense reimbursable under the general
3954 assistance program by the Department of [Social Services or the
3955 Department of Mental Health and Addiction] Human Services,
3956 provided the person is eligible to receive medical assistance. The town
3957 shall be responsible for these costs until the date upon which the
3958 administration of the general assistance program is assumed by the
3959 state or is officially delegated to a town by the Commissioner of
3960 [Social] Human Services, at which time the Department of [Social
3961 Services or the Department of Mental Health and Addiction] Human
3962 Services shall assume these costs. Such assistance shall be paid directly
3963 to the treatment facility at a rate established or negotiated by the
3964 Department of [Social Services or negotiated by the Department of
3965 Mental Health and Addiction] Human Services.

3966 Sec. 154. Section 17b-222 of the general statutes is repealed and the
3967 following is substituted in lieu thereof (*Effective October 1, 2010*):

3968 As used in this section and sections 17b-223, 17b-228, 17b-229 and
3969 17b-745, "state humane institution" or "humane institution" means state
3970 mental hospitals, community mental health centers, treatment facilities
3971 for children and adolescents, or any other facility or program
3972 administered by the [Departments of Mental Health and Addiction
3973 Services, Developmental Services, or Children and Families]
3974 Department of Human Services. The person in charge of each state
3975 humane institution shall furnish the Commissioner of Administrative
3976 Services with a daily report of changes in the patient roster and the

3977 date of formal commitment of each patient.

3978 Sec. 155. Section 17b-225 of the general statutes is repealed and the
3979 following is substituted in lieu thereof (*Effective October 1, 2010*):

3980 (a) The Department of Public Safety [, the Department of Social
3981 Services] and the United States Department of Health and Human
3982 Services shall be entitled to receive only such information concerning
3983 patients in institutions, hospitals and facilities of the [Departments of
3984 Public Health, Developmental Services and Mental Health and
3985 Addiction Services] Department of Human Services as is required to
3986 obtain support and payments for the care of such patients, including
3987 submissions of such information to probate courts, agencies and
3988 corporations dispensing benefits, or only such information concerning
3989 such patients as is required for the purpose of claiming federal
3990 reimbursement, or only such information concerning such patients as
3991 is required for the review and audit of federally funded programs.
3992 Any such information received by said Department of Public Safety [,
3993 Department of Social Services] and United States Department of
3994 Health and Human Services shall be confidential and shall be used for
3995 the purposes of obtaining support and payments for the care of said
3996 patients or for the purpose of claiming federal reimbursement or for
3997 the review and audit of federally funded programs.

3998 (b) The Department of Administrative Services shall be entitled to
3999 receive only such information concerning patients in institutions,
4000 hospitals and facilities of the [Departments of Public Health, Mental
4001 Health and Addiction Services and Developmental Services,]
4002 Department of Human Services and state humane institutions, as
4003 defined in section 17b-222, as is required to obtain support and
4004 payments for the care of such patients, including submissions of such
4005 information to probate courts, agencies and corporations dispensing
4006 benefits. Any such information received by said Department of
4007 Administrative Services shall be confidential and shall be used only for
4008 the purposes specified in this subsection.

4009 Sec. 156. Section 17b-234 of the general statutes is repealed and the
4010 following is substituted in lieu thereof (*Effective October 1, 2010*):

4011 The Department of [Social] Human Services shall notify the
4012 Newington Children's Hospital of each referral for whom said
4013 department can apply for federal matching grants. Newington
4014 Children's Hospital shall charge the Department of Social Services for
4015 said eligible referrals only and shall retain all such payments received
4016 from the department. Such payments by the state shall be in lieu of all
4017 other payments to said hospital by the state or any town in this state
4018 except payments by the Department of [Social] Human Services as
4019 provided in this section [,] or the State Board of Education, [or the
4020 Department of Public Health.] Such payments shall not prevent
4021 payments to said hospital from private sources for the care and
4022 support of any child in said hospital or for the balance of such
4023 operating expense. The Office of Health Care Access, in establishing
4024 rates to be charged by the Newington Children's Hospital, shall not
4025 include the grant made to said hospital pursuant to this section. In
4026 order to be eligible for the grant authorized by this section, the
4027 Newington Children's Hospital shall cooperate with The University of
4028 Connecticut Health Center in order to provide consolidated and
4029 coordinated pediatric services.

4030 Sec. 157. Subsection (a) of section 17b-256 of the general statutes is
4031 repealed and the following is substituted in lieu thereof (*Effective*
4032 *October 1, 2010*):

4033 (a) The Commissioner of [Social] Human Services may administer,
4034 within available appropriations, a program providing payment for the
4035 cost of drugs prescribed by a physician for the treatment of acquired
4036 immunodeficiency syndrome or human immunodeficiency virus. The
4037 commissioner [, in consultation with the Commissioner of Public
4038 Health,] shall determine specific drugs to be covered and may
4039 implement a pharmacy lock-in procedure for the program. The
4040 Commissioner of [Social] Human Services shall adopt regulations, in
4041 accordance with the provisions of chapter 54, to carry out the purposes

4042 of this section. The commissioner may implement the program while
4043 in the process of adopting regulations, provided notice of intent to
4044 adopt the regulations is published in the Connecticut Law Journal
4045 within twenty days of implementation. The regulations may include
4046 eligibility for all persons with acquired immunodeficiency syndrome
4047 or human immunodeficiency virus whose income is below four
4048 hundred per cent of the federal poverty level. Subject to federal
4049 approval, the commissioner may, within available federal resources,
4050 maintain existing insurance policies for eligible clients, including, but
4051 not limited to, coverage of costs associated with such policies, that
4052 provide a full range of human immunodeficiency virus treatments and
4053 access to comprehensive primary care services as determined by the
4054 commissioner and as provided by federal law, and may provide
4055 payment, determined by the commissioner, for (1) drugs and
4056 nutritional supplements prescribed by a physician that prevent or treat
4057 opportunistic diseases and conditions associated with acquired
4058 immunodeficiency syndrome or human immunodeficiency virus; (2)
4059 ancillary supplies related to the administration of such drugs; and (3)
4060 laboratory tests ordered by a physician. On and after May 26, 2006,
4061 persons who previously received insurance assistance under the
4062 program established pursuant to section 17b-255 of the general
4063 statutes, revision of 1958, revised to 2005, shall continue to receive such
4064 assistance until the expiration of the insurance coverage, provided
4065 such person continues to meet program eligibility requirements
4066 established in accordance with this subsection. On or before March 1,
4067 2007, and annually thereafter, the Commissioner of [Social] Human
4068 Services shall report, in accordance with section 11-4a, to the joint
4069 standing committees of the General Assembly having cognizance of
4070 matters relating to human services, public health and appropriations
4071 and the budgets of state agencies on the projected availability of funds
4072 for the program established pursuant to this section.

4073 Sec. 158. Section 17b-257c of the general statutes is repealed and the
4074 following is substituted in lieu thereof (*Effective October 1, 2010*):

4075 (a) The Commissioner of [Social] Human Services, after consultation

4076 with the [Commissioner of Mental Health and Addiction Services and
4077 the] Secretary of the Office of Policy and Management, may provide,
4078 within available appropriations, payments to long-term care facilities
4079 for the care of certain illegal immigrants. Payments may be made to
4080 cover the costs of care, as well as other incidentals as determined by
4081 the Commissioner of [Social] Human Services, for illegal immigrants
4082 who have been admitted to an acute care or psychiatric hospital and
4083 for whom services available in a long-term care facility are an
4084 appropriate and cost-effective alternative. Such individuals must be
4085 otherwise eligible for Medicaid, have resided in this state for at least
4086 five years and be unable to return to their country of origin due to
4087 medical illness or regulations barring reentry of persons who are ill or
4088 disabled or based upon a decision by the Immigration and
4089 Naturalization Service not to proceed with deportation.

4090 (b) The Commissioner of [Social] Human Services shall implement
4091 the policies and procedures necessary to carry out the provisions of
4092 subsection (a) of this section while in the process of adopting such
4093 policies and procedures in regulation form, provided notice of intent to
4094 adopt the regulations is published in the Connecticut Law Journal
4095 within twenty days after implementation. Such policies and
4096 procedures shall be valid until the time final regulations are effective.

4097 Sec. 159. Subsection (h) of section 17b-261 of the 2010 supplement to
4098 the general statutes is repealed and the following is substituted in lieu
4099 thereof (*Effective October 1, 2010*):

4100 (h) Medical assistance shall be provided, in accordance with the
4101 provisions of subsection (e) of section 17a-6, to any child under the
4102 supervision of the Commissioner of [Children and Families] Human
4103 Services who is not receiving Medicaid benefits, has not yet qualified
4104 for Medicaid benefits or is otherwise ineligible for such benefits.
4105 Medical assistance shall also be provided to any child in the voluntary
4106 services program operated by the Department of [Developmental]
4107 Human Services who is not receiving Medicaid benefits, has not yet
4108 qualified for Medicaid benefits or is otherwise ineligible for benefits.

4109 To the extent practicable, the Commissioner of [Children and Families
4110 and the Commissioner of Developmental] Human Services shall apply
4111 for, or assist such child in qualifying for, the Medicaid program.

4112 Sec. 160. Section 17b-263a of the general statutes is repealed and the
4113 following is substituted in lieu thereof (*Effective October 1, 2010*):

4114 [(a)] On or before December 31, 2006, the Commissioner of [Social]
4115 Human Services, in consultation with the [Commissioner of Mental
4116 Health and Addiction Services and the] Community Mental Health
4117 Strategy Board, established under section 17a-485b, shall take such
4118 action as is necessary to amend the Medicaid state plan to include
4119 assertive community treatment teams and community support services
4120 within the definition of optional adult rehabilitation services. Such
4121 community treatment teams shall provide intensive, integrated,
4122 multidisciplinary services to adults with severe psychiatric disabilities,
4123 including, but not limited to, persons who are homeless, persons
4124 diverted or discharged from in-patient programs or nursing homes
4125 and persons diverted or released from correctional facilities, or who
4126 are at risk of incarceration, and such teams shall provide intensive
4127 community care management through case managers, nurses and
4128 physicians and shall include, but not be limited to, vocational, peer
4129 and substance abuse specialists. The Commissioner of [Social] Human
4130 Services shall adopt regulations, in accordance with the provisions of
4131 chapter 54, for purposes of establishing the services specified in this
4132 subsection. The Commissioner of [Social] Human Services may
4133 implement policies and procedures for purposes of establishing such
4134 services while in the process of adopting such policies or procedures in
4135 regulation form, provided notice of intention to adopt the regulations
4136 is printed in the Connecticut Law Journal no later than twenty days
4137 after implementation and any such policies and procedures shall be
4138 valid until the time the regulations are effective.

4139 [(b)] For purposes of this section, the Commissioner of Social
4140 Services shall enter into a memorandum of understanding with the
4141 Department of Mental Health and Addiction Services that delegates

4142 responsibility to the Commissioner of Mental Health and Addiction
4143 Services for the clinical management of adult rehabilitation services
4144 provided to adults eighteen years of age or older who are otherwise
4145 receiving mental health services from said department. For purposes
4146 of this section, the term "clinical management" describes the process of
4147 evaluating and determining the appropriateness of the utilization of
4148 behavioral health services, providing assistance to clinicians or
4149 beneficiaries to ensure appropriate use of resources and may include,
4150 but is not limited to, authorization, concurrent and retrospective
4151 review, discharge review, quality management, provider certification
4152 and provider performance enhancement. The Commissioner of Social
4153 Services and the Commissioner of Mental Health and Addiction
4154 Services shall jointly develop clinical management policies and
4155 procedures for purposes of this section. The Commissioner of Social
4156 Services may implement policies and procedures necessary to carry
4157 out the purposes of this section, including any necessary changes to
4158 existing behavioral health policies and procedures concerning
4159 utilization management, while in the process of adopting such policies
4160 and procedures in regulation form, in accordance with the provisions
4161 of chapter 54, provided the commissioner publishes notice of intention
4162 to adopt the regulations in the Connecticut Law Journal not later than
4163 twenty days after implementing such policies and procedures. Policies
4164 and procedures implemented pursuant to this subsection shall be valid
4165 until the earlier of the time such regulations are effective, or December
4166 1, 2006.]

4167 Sec. 161. Subsection (a) of section 17b-276 of the 2010 supplement to
4168 the general statutes is repealed and the following is substituted in lieu
4169 thereof (*Effective October 1, 2010*):

4170 (a) The Commissioner of [Social] Human Services shall identify
4171 geographic areas of the state where competitive bidding for
4172 nonemergency transportation services provided to medical assistance
4173 recipients to access covered medical services would result in cost
4174 savings to the state. For the identified areas, the Commissioner of
4175 [Social] Human Services, in consultation with the Commissioner of

4176 Transportation [, the Commissioner of Public Health] and the Secretary
4177 of the Office of Policy and Management, shall purchase such
4178 nonemergency transportation services through a competitive bidding
4179 process. Any transportation providers awarded a contract or
4180 subcontract for the direct provision of such services shall meet state
4181 licensure or certification requirements and the nonemergency
4182 transportation requirements established by the Department of [Social]
4183 Human Services, and shall provide the most cost effective
4184 transportation service, provided any contractor awarded a contract
4185 solely for coordinating such transportation services shall not be
4186 required to meet such licensure or certification requirements and
4187 provided the first such contracts for the purchase of such services shall
4188 not exceed one year. Prior to awarding a contract pursuant to this
4189 section, the Commissioner of [Social] Human Services shall consider
4190 the effect of the contract on the emergency ambulance primary service
4191 areas and volunteer ambulance services affected by the contract. The
4192 commissioner may limit the geographic areas to be served by a
4193 contractor and may limit the amount of services to be performed by a
4194 contractor. The commissioner may operate one or more pilot programs
4195 prior to state-wide operation of a competitive bidding program for
4196 nonemergency transportation services. By enrolling in the Medicaid
4197 program or participating in the competitively bid contract for
4198 nonemergency transportation services, providers of nonemergency
4199 transportation services agree to offer to recipients of medical assistance
4200 all types or levels of transportation services for which they are licensed
4201 or certified. Effective October 1, 1991, payment for such services shall
4202 be made only for services provided to an eligible recipient who is
4203 actually transported. A contract entered into pursuant to this section
4204 may include services provided by another state agency.
4205 Notwithstanding any provision of the general statutes, a contract
4206 entered into pursuant to this section shall establish the rates to be paid
4207 for the transportation services provided under the contract. A contract
4208 entered into pursuant to this section may include services provided by
4209 another state agency and shall supersede any conflicting provisions of
4210 the regulations of Connecticut state agencies pertaining to medical

4211 transportation services. Any contractor awarded a contract for
4212 coordinating nonemergency transportation services for medical
4213 assistance recipients, who also coordinates transportation services for
4214 nonmedical assistance recipients, shall disclose to any transportation
4215 provider, with whom it subcontracts to provide nonemergency
4216 transportation services under this section, the source of payment at the
4217 time the service is requested.

4218 Sec. 162. Subsections (a) to (c), inclusive, of section 17b-294 of the
4219 general statutes are repealed and the following is substituted in lieu
4220 thereof (*Effective October 1, 2010*):

4221 (a) The commissioner shall, within available appropriations,
4222 establish two supplemental health insurance programs, to be known as
4223 HUSKY Plus programs, for enrollees of the subsidized portion of the
4224 HUSKY Plan, Part B with family incomes which do not exceed three
4225 hundred per cent of the federal poverty level, whose medical needs
4226 cannot be accommodated within the basic benefit package offered
4227 enrollees. One program shall supplement coverage for those medically
4228 eligible enrollees with intensive physical health needs and one shall
4229 supplement coverage for those medically eligible enrollees with
4230 intensive behavioral health needs.

4231 (b) Within available appropriations, the commissioner shall contract
4232 with entities to administer and operate the HUSKY Plus program for
4233 medically eligible enrollees with intensive physical health needs. Such
4234 entities shall be the same entities that the Department of [Public
4235 Health] Human Services contracts with to administer and operate the
4236 program under Title V of the Social Security Act. The advisory
4237 committee established by the Department of [Public Health] Human
4238 Services for Title V of the Social Security Act shall be the steering
4239 committee for such program, [except that such committee shall
4240 include representatives of the Departments of Social Services and
4241 Children and Families.]

4242 (c) Within available appropriations, the commissioner shall contract

4243 with one or more entities to operate the HUSKY Plus program for
4244 medically eligible enrollees with intensive behavioral health needs.
4245 The steering committee for such program shall be established by the
4246 commissioner, [, in consultation with the Commissioner of Children
4247 and Families.] The steering committee shall include representatives of
4248 the [Departments of Social Services and Children and Families]
4249 Department of Human Services.

4250 Sec. 163. Subsection (a) of section 17b-297 of the general statutes is
4251 repealed and the following is substituted in lieu thereof (*Effective*
4252 *October 1, 2010*):

4253 (a) The commissioner, in consultation with the Children's Health
4254 Council, the Medicaid Managed Care Council and the 2-1-1 Infoline
4255 program, shall develop mechanisms to increase outreach and
4256 maximize enrollment of eligible children and adults in the HUSKY
4257 Plan, Part A or Part B, including, but not limited to, development of
4258 mail-in applications and appropriate outreach materials through the
4259 Department of [Revenue Services, the Labor Department, the
4260 Department of Social Services, the Department of Public Health, the
4261 Department of Children and Families] Human Services and the Office
4262 of Protection and Advocacy for Persons with Disabilities. Such
4263 mechanisms shall seek to maximize federal funds where appropriate
4264 for such outreach activities.

4265 Sec. 164. Subsection (a) of section 17b-306 of the general statutes is
4266 repealed and the following is substituted in lieu thereof (*Effective*
4267 *October 1, 2010*):

4268 (a) The Commissioner of [Social Services, in consultation with the
4269 Commissioner of Public Health,] Human Services shall develop and
4270 within available appropriations implement a plan for a system of
4271 preventive health services for children under the HUSKY Plan, Part A
4272 and Part B. The goal of the system shall be to improve health outcomes
4273 for all children enrolled in the HUSKY Plan and to reduce racial and
4274 ethnic health disparities among children. Such system shall ensure that

4275 services under the federal Early and Periodic Screening, Diagnosis and
4276 Treatment Program are provided to children enrolled in the HUSKY
4277 Plan, Part A.

4278 Sec. 165. Subsection (c) of section 17b-337 of the 2010 supplement to
4279 the general statutes is repealed and the following is substituted in lieu
4280 thereof (*Effective October 1, 2010*):

4281 (c) The Long-Term Care Planning Committee shall consist of: (1)
4282 The chairpersons and ranking members of the joint standing and select
4283 committees of the General Assembly having cognizance of matters
4284 relating to human services, public health, elderly services and
4285 long-term care; (2) the Commissioner of [Social] Human Services, or
4286 the commissioner's designee; (3) one member of the Office of Policy
4287 and Management appointed by the Secretary of the Office of Policy
4288 and Management; (4) one member from the Department of [Social]
4289 Human Services appointed by the Commissioner of [Social] Human
4290 Services; (5) [two members from the Department of Public Health
4291 appointed by the Commissioner of Public Health, one of whom is from
4292 the Office of Health Care Access division of the department; (6)] one
4293 member from the Department of Economic and Community
4294 Development appointed by the Commissioner of Economic and
4295 Community Development; [(7) one member from the Department of
4296 Developmental Services appointed by the Commissioner of
4297 Developmental Services; (8) one member from the Department of
4298 Mental Health and Addiction Services appointed by the Commissioner
4299 of Mental Health and Addiction Services; (9)] (6) one member from the
4300 Department of Transportation appointed by the Commissioner of
4301 Transportation; [(10) one member from the Department of Children
4302 and Families appointed by the Commissioner of Children and
4303 Families; and (11)] and (7) the executive director of the Office of
4304 Protection and Advocacy for Persons with Disabilities or the executive
4305 director's designee. The committee shall convene no later than ninety
4306 days after June 4, 1998. Any vacancy shall be filled by the appointing
4307 authority. The chairperson shall be elected from among the members
4308 of the committee. The committee shall seek the advice and

4309 participation of any person, organization or state or federal agency it
4310 deems necessary to carry out the provisions of this section.

4311 Sec. 166. Subsections (a) and (b) of section 17b-339 of the 2010
4312 supplement to the general statutes are repealed and the following is
4313 substituted in lieu thereof (*Effective October 1, 2010*):

4314 (a) There is established a Nursing Home Financial Advisory
4315 Committee to examine the financial solvency of nursing homes on an
4316 ongoing basis and to support the [Departments of Social Services and
4317 Public Health] Department of Human Services in [their] its mission to
4318 provide oversight to the nursing home industry on issues concerning
4319 the financial solvency of and quality of care provided by nursing
4320 homes. The committee shall consist of the Commissioner of [Social
4321 Services, or his designee] Human Services, or the commissioner's
4322 designee; [the Commissioner of Public Health, or his designee;] the
4323 Secretary of the Office of Policy and Management, or [his] the
4324 commissioner's designee; the executive director of the Connecticut
4325 Health and Education Facilities Authority, or [his] the executive
4326 director's designee; and the executive director of the Connecticut
4327 Association of Not-for-Profit Providers for the Aging, or the executive
4328 director's designee; and the executive director of the Connecticut
4329 Association of Health Care Facilities, or the executive director's
4330 designee. The Commissioner of [Social Services and the Commissioner
4331 of Public Health] Human Services shall be the [chairpersons]
4332 chairperson of the committee.

4333 (b) The committee, upon receipt of a report relative to the financial
4334 solvency of and quality of care provided by nursing homes in the state,
4335 shall recommend appropriate action for improving the financial
4336 condition of any nursing home that is in financial distress to the
4337 Commissioner of [Social Services and the Commissioner of Public
4338 Health] Human Services. The Commissioner of [Social] Human
4339 Services shall submit quarterly reports to the committee concerning
4340 pending nursing home requests for interim rate increases. Such reports
4341 shall, without identifying any requesting facility by name, list the

4342 amount of each increase requested, the reason for the request and the
4343 rate that will result if the request is granted.

4344 Sec. 167. Subsection (a) of section 17b-340 of the 2010 supplement to
4345 the general statutes is repealed and the following is substituted in lieu
4346 thereof (*Effective October 1, 2010*):

4347 (a) The rates to be paid by or for persons aided or cared for by the
4348 state or any town in this state to licensed chronic and convalescent
4349 nursing homes, to chronic disease hospitals associated with chronic
4350 and convalescent nursing homes, to rest homes with nursing
4351 supervision, to licensed residential care homes, as defined by section
4352 19a-490, and to residential facilities for the mentally retarded which are
4353 licensed pursuant to section 17a-227 and certified to participate in the
4354 Title XIX Medicaid program as intermediate care facilities for the
4355 mentally retarded, for room, board and services specified in licensing
4356 regulations issued by the licensing agency shall be determined
4357 annually, except as otherwise provided in this subsection, after a
4358 public hearing, by the Commissioner of Social Services, to be effective
4359 July first of each year except as otherwise provided in this subsection.
4360 Such rates shall be determined on a basis of a reasonable payment for
4361 such necessary services, which basis shall take into account as a factor
4362 the costs of such services. Cost of such services shall include
4363 reasonable costs mandated by collective bargaining agreements with
4364 certified collective bargaining agents or other agreements between the
4365 employer and employees, provided "employees" shall not include
4366 persons employed as managers or chief administrators or required to
4367 be licensed as nursing home administrators, and compensation for
4368 services rendered by proprietors at prevailing wage rates, as
4369 determined by application of principles of accounting as prescribed by
4370 said commissioner. Cost of such services shall not include amounts
4371 paid by the facilities to employees as salary, or to attorneys or
4372 consultants as fees, where the responsibility of the employees,
4373 attorneys, or consultants is to persuade or seek to persuade the other
4374 employees of the facility to support or oppose unionization. Nothing
4375 in this subsection shall prohibit inclusion of amounts paid for legal

4376 counsel related to the negotiation of collective bargaining agreements,
4377 the settlement of grievances or normal administration of labor
4378 relations. The commissioner may, in his discretion, allow the inclusion
4379 of extraordinary and unanticipated costs of providing services which
4380 were incurred to avoid an immediate negative impact on the health
4381 and safety of patients. The commissioner may, in his discretion, based
4382 upon review of a facility's costs, direct care staff to patient ratio and
4383 any other related information, revise a facility's rate for any increases
4384 or decreases to total licensed capacity of more than ten beds or changes
4385 to its number of licensed rest home with nursing supervision beds and
4386 chronic and convalescent nursing home beds. The commissioner may
4387 so revise a facility's rate established for the fiscal year ending June 30,
4388 1993, and thereafter for any bed increases, decreases or changes in
4389 licensure effective after October 1, 1989. Effective July 1, 1991, in
4390 facilities which have both a chronic and convalescent nursing home
4391 and a rest home with nursing supervision, the rate for the rest home
4392 with nursing supervision shall not exceed such facility's rate for its
4393 chronic and convalescent nursing home. All such facilities for which
4394 rates are determined under this subsection shall report on a fiscal year
4395 basis ending on the thirtieth day of September. Such report shall be
4396 submitted to the commissioner by the thirty-first day of December. The
4397 commissioner may reduce the rate in effect for a facility which fails to
4398 report on or before such date by an amount not to exceed ten per cent
4399 of such rate. The commissioner shall annually, on or before the
4400 fifteenth day of February, report the data contained in the reports of
4401 such facilities to the joint standing committee of the General Assembly
4402 having cognizance of matters relating to appropriations. For the cost
4403 reporting year commencing October 1, 1985, and for subsequent cost
4404 reporting years, facilities shall report the cost of using the services of
4405 any nursing pool employee by separating said cost into two categories,
4406 the portion of the cost equal to the salary of the employee for whom
4407 the nursing pool employee is substituting shall be considered a
4408 nursing cost and any cost in excess of such salary shall be further
4409 divided so that seventy-five per cent of the excess cost shall be
4410 considered an administrative or general cost and twenty-five per cent

4411 of the excess cost shall be considered a nursing cost, provided if the
4412 total nursing pool costs of a facility for any cost year are equal to or
4413 exceed fifteen per cent of the total nursing expenditures of the facility
4414 for such cost year, no portion of nursing pool costs in excess of fifteen
4415 per cent shall be classified as administrative or general costs. The
4416 commissioner, in determining such rates, shall also take into account
4417 the classification of patients or boarders according to special care
4418 requirements or classification of the facility according to such factors
4419 as facilities and services and such other factors as he deems reasonable,
4420 including anticipated fluctuations in the cost of providing such
4421 services. The commissioner may establish a separate rate for a facility
4422 or a portion of a facility for traumatic brain injury patients who require
4423 extensive care but not acute general hospital care. Such separate rate
4424 shall reflect the special care requirements of such patients. If changes
4425 in federal or state laws, regulations or standards adopted subsequent
4426 to June 30, 1985, result in increased costs or expenditures in an amount
4427 exceeding one-half of one per cent of allowable costs for the most
4428 recent cost reporting year, the commissioner shall adjust rates and
4429 provide payment for any such increased reasonable costs or
4430 expenditures within a reasonable period of time retroactive to the date
4431 of enforcement. [Nothing in this section shall be construed to require
4432 the Department of Social Services to adjust rates and provide payment
4433 for any increases in costs resulting from an inspection of a facility by
4434 the Department of Public Health.] Such assistance as the commissioner
4435 requires from other state agencies or departments in determining rates
4436 shall be made available to him at his request. Payment of the rates
4437 established hereunder shall be conditioned on the establishment by
4438 such facilities of admissions procedures which conform with this
4439 section, section 19a-533 and all other applicable provisions of the law
4440 and the provision of equality of treatment to all persons in such
4441 facilities. The established rates shall be the maximum amount
4442 chargeable by such facilities for care of such beneficiaries, and the
4443 acceptance by or on behalf of any such facility of any additional
4444 compensation for care of any such beneficiary from any other person
4445 or source shall constitute the offense of aiding a beneficiary to obtain

aid to which he is not entitled and shall be punishable in the same manner as is provided in subsection (b) of section 17b-97. For the fiscal year ending June 30, 1992, rates for licensed residential care homes and intermediate care facilities for the mentally retarded may receive an increase not to exceed the most recent annual increase in the Regional Data Resources Incorporated McGraw-Hill Health Care Costs: Consumer Price Index (all urban)-All Items. Rates for newly certified intermediate care facilities for the mentally retarded shall not exceed one hundred fifty per cent of the median rate of rates in effect on January 31, 1991, for intermediate care facilities for the mentally retarded certified prior to February 1, 1991. Notwithstanding any provision of this section, the Commissioner of Social Services may, within available appropriations, provide an interim rate increase for a licensed chronic and convalescent nursing home or a rest home with nursing supervision for rate periods no earlier than April 1, 2004, only if the commissioner determines that the increase is necessary to avoid the filing of a petition for relief under Title 11 of the United States Code; imposition of receivership pursuant to sections 19a-541 to 19a-549, inclusive; or substantial deterioration of the facility's financial condition that may be expected to adversely affect resident care and the continued operation of the facility, and the commissioner determines that the continued operation of the facility is in the best interest of the state. The commissioner shall consider any requests for interim rate increases on file with the department from March 30, 2004, and those submitted subsequently for rate periods no earlier than April 1, 2004. When reviewing a rate increase request the commissioner shall, at a minimum, consider: (1) Existing chronic and convalescent nursing home or rest home with nursing supervision utilization in the area and projected bed need; (2) physical plant long-term viability and the ability of the owner or purchaser to implement any necessary property improvements; (3) licensure and certification compliance history; (4) reasonableness of actual and projected expenses; and (5) the ability of the facility to meet wage and benefit costs. No rate shall be increased pursuant to this subsection in excess of one hundred fifteen per cent of the median rate for the facility's peer

4481 grouping, established pursuant to subdivision (2) of subsection (f) of
4482 this section, unless recommended by the commissioner and approved
4483 by the Secretary of the Office of Policy and Management after
4484 consultation with the commissioner. Such median rates shall be
4485 published by the Department of Social Services not later than April
4486 first of each year. In the event that a facility granted an interim rate
4487 increase pursuant to this section is sold or otherwise conveyed for
4488 value to an unrelated entity less than five years after the effective date
4489 of such rate increase, the rate increase shall be deemed rescinded and
4490 the department shall recover an amount equal to the difference
4491 between payments made for all affected rate periods and payments
4492 that would have been made if the interim rate increase was not
4493 granted. The commissioner may seek recovery from payments made to
4494 any facility with common ownership. With the approval of the
4495 Secretary of the Office of Policy and Management, the commissioner
4496 may waive recovery and rescission of the interim rate for good cause
4497 shown that is not inconsistent with this section, including, but not
4498 limited to, transfers to family members that were made for no value.
4499 The commissioner shall provide written quarterly reports to the joint
4500 standing committees of the General Assembly having cognizance of
4501 matters relating to human services and appropriations and the budgets
4502 of state agencies and to the select committee of the General Assembly
4503 having cognizance of matters relating to aging, that identify each
4504 facility requesting an interim rate increase, the amount of the
4505 requested rate increase for each facility, the action taken by the
4506 commissioner and the secretary pursuant to this subsection, and
4507 estimates of the additional cost to the state for each approved interim
4508 rate increase. Nothing in this subsection shall prohibit the
4509 commissioner from increasing the rate of a licensed chronic and
4510 convalescent nursing home or a rest home with nursing supervision
4511 for allowable costs associated with facility capital improvements or
4512 increasing the rate in case of a sale of a licensed chronic and
4513 convalescent nursing home or a rest home with nursing supervision,
4514 pursuant to subdivision (16) of subsection (f) of this section, if
4515 receivership has been imposed on such home.

4516 Sec. 168. Subsection (g) of section 17b-340 of the 2010 supplement to
4517 the general statutes is repealed and the following is substituted in lieu
4518 thereof (*Effective October 1, 2010*):

4519 (g) For the fiscal year ending June 30, 1993, any intermediate care
4520 facility for the mentally retarded with an operating cost component of
4521 its rate in excess of one hundred forty per cent of the median of
4522 operating cost components of rates in effect January 1, 1992, shall not
4523 receive an operating cost component increase. For the fiscal year
4524 ending June 30, 1993, any intermediate care facility for the mentally
4525 retarded with an operating cost component of its rate that is less than
4526 one hundred forty per cent of the median of operating cost
4527 components of rates in effect January 1, 1992, shall have an allowance
4528 for real wage growth equal to thirty per cent of the increase
4529 determined in accordance with subsection (q) of section 17-311-52 of
4530 the regulations of Connecticut state agencies, provided such operating
4531 cost component shall not exceed one hundred forty per cent of the
4532 median of operating cost components in effect January 1, 1992. Any
4533 facility with real property other than land placed in service prior to
4534 October 1, 1991, shall, for the fiscal year ending June 30, 1995, receive a
4535 rate of return on real property equal to the average of the rates of
4536 return applied to real property other than land placed in service for the
4537 five years preceding October 1, 1993. For the fiscal year ending June 30,
4538 1996, and any succeeding fiscal year, the rate of return on real property
4539 for property items shall be revised every five years. The commissioner
4540 shall, upon submission of a request, allow actual debt service,
4541 comprised of principal and interest, in excess of property costs allowed
4542 pursuant to section 17-311-52 of the regulations of Connecticut state
4543 agencies, provided such debt service terms and amounts are
4544 reasonable in relation to the useful life and the base value of the
4545 property. For the fiscal year ending June 30, 1995, and any succeeding
4546 fiscal year, the inflation adjustment made in accordance with
4547 subsection (p) of section 17-311-52 of the regulations of Connecticut
4548 state agencies shall not be applied to real property costs. For the fiscal
4549 year ending June 30, 1996, and any succeeding fiscal year, the

allowance for real wage growth, as determined in accordance with subsection (q) of section 17-311-52 of the regulations of Connecticut state agencies, shall not be applied. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, no rate shall exceed three hundred seventy-five dollars per day unless the commissioner [, in consultation with the Commissioner of Developmental Services,] determines after a review of program and management costs, that a rate in excess of this amount is necessary for care and treatment of facility residents. For the fiscal year ending June 30, 2002, rate period, the [Commissioner of Social Services] commissioner shall increase the inflation adjustment for rates made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies to update allowable fiscal year 2000 costs to include a three and one-half per cent inflation factor. For the fiscal year ending June 30, 2003, rate period, the commissioner shall increase the inflation adjustment for rates made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies to update allowable fiscal year 2001 costs to include a one and one-half per cent inflation factor, except that such increase shall be effective November 1, 2002, and such facility rate in effect for the fiscal year ending June 30, 2002, shall be paid for services provided until October 31, 2002, except any facility that would have been issued a lower rate effective July 1, 2002, than for the fiscal year ending June 30, 2002, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2002, and have such rate updated effective November 1, 2002, in accordance with applicable statutes and regulations. For the fiscal year ending June 30, 2004, rates in effect for the period ending June 30, 2003, shall remain in effect, except any facility that would have been issued a lower rate effective July 1, 2003, than for the fiscal year ending June 30, 2003, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2003. For the fiscal year ending June 30, 2005, rates in effect for the period ending June 30, 2004, shall remain in effect until September 30, 2004. Effective October 1, 2004, each facility shall receive a rate that is five per cent greater than the rate in effect September 30, 2004. Effective

4585 upon receipt of all the necessary federal approvals to secure federal
4586 financial participation matching funds associated with the rate increase
4587 provided in subdivision (4) of subsection (f) of this section, but in no
4588 event earlier than October 1, 2005, and provided the user fee imposed
4589 under section 17b-320 is required to be collected, each facility shall
4590 receive a rate that is four per cent more than the rate the facility
4591 received in the prior fiscal year, except any facility that would have
4592 been issued a lower rate effective October 1, 2005, than for the fiscal
4593 year ending June 30, 2005, due to interim rate status or agreement with
4594 the department, shall be issued such lower rate effective October 1,
4595 2005. Such rate increase shall remain in effect unless: (A) The federal
4596 financial participation matching funds associated with the rate increase
4597 are no longer available; or (B) the user fee created pursuant to section
4598 17b-320 is not in effect. For the fiscal year ending June 30, 2007, rates in
4599 effect for the period ending June 30, 2006, shall remain in effect until
4600 September 30, 2006, except any facility that would have been issued a
4601 lower rate effective July 1, 2006, than for the fiscal year ending June 30,
4602 2006, due to interim rate status or agreement with the department,
4603 shall be issued such lower rate effective July 1, 2006. Effective October
4604 1, 2006, no facility shall receive a rate that is more than three per cent
4605 greater than the rate in effect for the facility on September 30, 2006,
4606 except any facility that would have been issued a lower rate effective
4607 October 1, 2006, due to interim rate status or agreement with the
4608 department, shall be issued such lower rate effective October 1, 2006.
4609 For the fiscal year ending June 30, 2008, each facility shall receive a rate
4610 that is two and nine-tenths per cent greater than the rate in effect for
4611 the period ending June 30, 2007, except any facility that would have
4612 been issued a lower rate effective July 1, 2007, than for the rate period
4613 ending June 30, 2007, due to interim rate status, or agreement with the
4614 department, shall be issued such lower rate effective July 1, 2007. For
4615 the fiscal year ending June 30, 2009, rates in effect for the period
4616 ending June 30, 2008, shall remain in effect until June 30, 2009, except
4617 any facility that would have been issued a lower rate for the fiscal year
4618 ending June 30, 2009, due to interim rate status or agreement with the
4619 department, shall be issued such lower rate. For the fiscal years ending

4620 June 30, 2010, and June 30, 2011, rates in effect for the period ending
4621 June 30, 2009, shall remain in effect until June 30, 2011, except any
4622 facility that would have been issued a lower rate for the fiscal year
4623 ending June 30, 2010, or the fiscal year ending June 30, 2011, due to
4624 interim rate status or agreement with the department, shall be issued
4625 such lower rate.

4626 Sec. 169. Subsection (a) of section 17b-341 of the general statutes is
4627 repealed and the following is substituted in lieu thereof (*Effective*
4628 *October 1, 2010*):

4629 (a) (1) As used in this section, "self-pay patient" means a patient who
4630 is not receiving state or municipal assistance to pay for the cost of care.

4631 (2) The Commissioner of [Social] Human Services shall determine
4632 annually, after a public hearing, the rates to be charged to self-pay
4633 patients in any of the following licensed facilities if the facility does not
4634 have a provider agreement with the state to provide services to
4635 recipients of benefits obtained through Title XIX of the Social Security
4636 Amendments of 1965, except a facility that did not have a provider
4637 agreement in effect as of January 1, 1991, or had entered into a limited
4638 provider agreement before January 1, 1991: Chronic and convalescent
4639 nursing homes, chronic disease hospitals associated with chronic and
4640 convalescent nursing homes and rest homes with nursing supervision.
4641 Each such facility that does have such a provider agreement, each such
4642 facility that did not have a provider agreement in effect as of January 1,
4643 1991, or had entered into a limited provider agreement before January
4644 1, 1991, and each residential care home shall determine its own self-
4645 pay rates. Rates determined pursuant to this section shall be effective
4646 July 1, 1991, and on July first of each year thereafter through June 30,
4647 1993, and shall be determined for each facility individually, on the
4648 basis of payment for the reasonable costs of providing all services. All
4649 self-pay patients shall be given notice of a rate increase at least thirty
4650 days prior to the effective date of such rate increase. In determining
4651 rates to be charged to self-pay patients the commissioner shall: (1)
4652 Consider the quality of care provided by each facility, based on

4653 information [which the Department of Public Health shall provide to
4654 the commissioner,] known to the Department of Human Services and
4655 any testimony or information received from other interested parties;
4656 and (2) take into account the relevant cost considerations set forth in
4657 section 17b-340 and in the regulations adopted in accordance with
4658 subsection (a) of section 17b-238. Such regulations shall include but not
4659 be limited to the establishment of a formula for allowing profit or an
4660 operating surplus, and a fair rate of return on invested capital or
4661 equity. Nothing in this section shall authorize the commissioner to set
4662 a rate lower than the rate set under section 17b-340 for comparable
4663 services. Each facility determining its own self-pay rates shall report
4664 such rates to the commissioner upon determination and upon any
4665 modification. The commissioner shall document each rate so reported
4666 and each rate determined for a facility by the commissioner pursuant
4667 to this section. Each facility shall charge any self-pay patient who is
4668 insured under a long-term care insurance policy which is precertified
4669 pursuant to section 38a-475 a rate which is at least five per cent less
4670 than the rate charged other self-pay patients. On and after April 1,
4671 2008, each facility shall charge self-pay patients a per diem rate and not
4672 a monthly rate.

4673 Sec. 170. Section 17b-350 of the general statutes is repealed and the
4674 following is substituted in lieu thereof (*Effective October 1, 2010*):

4675 The Commissioner of [Social Services, in consultation with the
4676 Commissioner of Public Health,] Human Services shall establish a
4677 demonstration program for respite care in nursing homes for self-pay
4678 patients. The program shall offer a financial incentive for a nursing
4679 home to reserve beds for respite care.

4680 Sec. 171. Subsection (a) of section 17b-353 of the 2010 supplement to
4681 the general statutes is repealed and the following is substituted in lieu
4682 thereof (*Effective October 1, 2010*):

4683 (a) Any facility, as defined in subsection (a) of section 17b-352,
4684 which proposes (1) a capital expenditure exceeding one million

dollars, which increases facility square footage by more than five thousand square feet or five per cent of the existing square footage, whichever is greater, (2) a capital expenditure exceeding two million dollars, or (3) the acquisition of major medical equipment requiring a capital expenditure in excess of four hundred thousand dollars, including the leasing of equipment or space, shall submit a request for approval of such expenditure, with such information as the department requires, to the Department of Social Services. Any such facility which proposes to acquire imaging equipment requiring a capital expenditure in excess of four hundred thousand dollars, including the leasing of such equipment, shall obtain the approval of the Office of Health Care Access in accordance with section 19a-639, subsequent to obtaining the approval of the Commissioner of Social Services. [Prior to the facility's obtaining the imaging equipment, the Commissioner of Public Health, after consultation with the Commissioner of Social Services, may elect to perform a joint or simultaneous review with the Department of Social Services.]

Sec. 172. Section 17b-357 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

(a) For purposes of this section and sections 17b-358 to 17b-360, inclusive, a "nursing facility" means a chronic and convalescent home or a rest home with nursing supervision as defined in section 19a-521, which participates in the Medicaid program through a provider agreement with the Department of Social Services.

(b) If the Department of [Public Health] Human Services finds, through the results of a survey, that a nursing facility is not in compliance with one or more of the requirements of Subsections (b), (c) and (d) of 42 USC 1396r and that such noncompliance poses an immediate and serious threat to patient health or safety, the Department of [Public Health] Human Services shall issue a statement of charges and a summary order to the facility. [and shall file a copy of the charges with the Department of Social Services with a request for a summary order from the Department of Social Services.] The summary

4718 order which the Department of [Social] Human Services may issue
4719 shall include termination of the facility's participation in Medicaid or
4720 appointment of a temporary manager to oversee the operation of the
4721 facility and may include transfer of patients to other participating
4722 facilities; denial of payment under Medicaid for new admissions;
4723 imposition of a directed plan of correction of the facility's deficiencies;
4724 imposition of civil monetary penalties; or imposition of other remedies
4725 authorized by regulations adopted by the Department of [Social
4726 Services] Human Services in accordance with chapter 54.

4727 (c) If the Department of [Public Health] Human Services finds,
4728 through the results of a survey, that a nursing facility is not in
4729 compliance with one or more of the requirements of Subsections (b),
4730 (c) and (d) of 42 USC 1396r but that such noncompliance does not pose
4731 an immediate and obvious threat to patient health or safety, the
4732 Department of [Public Health] Human Services shall issue a statement
4733 of charges to the facility. [and shall file a copy of the charges with the
4734 Department of Social Services with a request for an order imposing
4735 one or more alternative remedies under this subsection.] If the
4736 Department of [Social] Human Services finds [, based on a statement of
4737 charges filed by the Department of Public Health,] that a nursing
4738 facility is not in compliance with one or more of the requirements of
4739 Subsections (b), (c) and (d) of 42 USC 1396r, but does not issue a
4740 summary order, it may impose one or more of the following
4741 alternative remedies: Termination of the facility's participation in
4742 Medicaid; appointment of a temporary manager to oversee the
4743 operation of the facility; transfer of patients to other participating
4744 facilities; denial of payment under Medicaid for new admissions;
4745 imposition of a directed plan of correction of the facility's deficiencies;
4746 imposition of civil monetary penalties; or imposition of other remedies
4747 authorized by regulations adopted by the Department of [Social]
4748 Human Services in accordance with chapter 54. The civil monetary
4749 penalties imposed may be in the range of three thousand two hundred
4750 fifty dollars to ten thousand dollars per day for each day the facility is
4751 found to be out of compliance with one or more requirements of

4752 Subsections (b), (c) and (d) of 42 USC 1396r if the failure to comply
4753 with such requirements is found to constitute an immediate and
4754 serious threat to resident health or safety, or in the range of two
4755 hundred dollars to three thousand dollars per day for each day the
4756 facility is found to be out of compliance with a requirement of
4757 Subsections (b), (c) and (d) of 42 USC 1396r that is found not to
4758 constitute an immediate and serious threat to resident health or safety.
4759 The exact civil monetary penalty will be set depending on such factors
4760 as the existence of repeat deficiencies or uncorrected deficiencies and
4761 the overall compliance history of the provider. The remedies available
4762 to the Department of [Social] Human Services for violations of the
4763 requirements of Subsections (b), (c) and (d) of 42 USC 1396r are
4764 cumulative and are in addition to the remedies available to the
4765 Department of [Public Health] Human Services under chapter 368v for
4766 violations of state licensure requirements. Any penalties collected by
4767 the Department of [Social] Human Services pursuant to this section
4768 shall be deposited in a special fund under the control of the
4769 Department of [Social] Human Services, which fund shall be utilized,
4770 in the discretion of the department, for the protection of the health or
4771 property of residents of nursing facilities found to be deficient,
4772 including payment for the costs of relocating residents, payment for
4773 the maintenance of operation of a facility pending correction of
4774 deficiencies or closure, and reimbursement of residents for personal
4775 funds lost. The deficient nursing facility shall be obligated to
4776 reimburse the Department of [Social] Human Services for any moneys
4777 expended by the department at the facility from the fund established
4778 pursuant to this section.

4779 (d) The facility may request a hearing in accordance with the
4780 provisions of chapter 54 from the Department of [Social] Human
4781 Services within ten days of the issuance of the statement of charges or
4782 the summary order, as the case may be. If the facility does not request
4783 a hearing within ten days and no summary order has been issued, the
4784 Department of [Social] Human Services shall automatically adopt [the
4785 Department of Public Health's] its findings and shall issue an order

4786 incorporating one or more of the remedies authorized by subsection (c)
4787 of this section. If the facility timely requests a hearing or the
4788 Department of [Social] Human Services issues a summary order, the
4789 Department of [Social] Human Services shall issue a notice of hearing.
4790 At such hearing the facility shall be given the opportunity to present
4791 evidence and cross-examine witnesses. The Department of [Social]
4792 Human Services shall issue a decision based on the administrative
4793 record and may, if it finds the facility not in compliance with one or
4794 more of the requirements of Subsections (b), (c) and (d) of 42 USC
4795 1396r, order any of the remedies specified in this section. The
4796 Department of [Social] Human Services may impose any of the
4797 alternative remedies, except for a civil monetary penalty, during the
4798 pendency of any proceedings conducted pursuant to this subsection.
4799 In such cases, the Department of [Social] Human Services must
4800 provide the facility the opportunity to discuss the Department of
4801 [Public Health's] Human Service's findings at an informal conference
4802 prior to the imposition of any remedy. The requirement of an informal
4803 conference does not apply to summary order proceedings.

4804 Sec. 173. Section 17b-359 of the general statutes is repealed and the
4805 following is substituted in lieu thereof (*Effective October 1, 2010*):

4806 (a) For purposes of this section, the terms "mentally ill" and
4807 "specialized services" shall be as defined in Subsections (e)(7)(G)(i) and
4808 (iii) of Section 1919 of the Social Security Act and federal regulations.

4809 (b) No nursing facility shall admit any person, irrespective of source
4810 of payment, who has not undergone a preadmission screening process
4811 by which the Department of [Mental Health and Addiction] Human
4812 Services determines, based upon an independent physical and mental
4813 evaluation, [performed by or under the auspices of the Department of
4814 Social Services,] whether the person is mentally ill and, if so, whether
4815 such person requires the level of services provided by a nursing
4816 facility and, if such person is mentally ill and does require such level of
4817 services, whether the person requires specialized services. A person
4818 who is determined to be mentally ill and not to require nursing facility

4819 level services shall not be admitted to a nursing facility. In order to
4820 implement the preadmission review requirements of this section and
4821 to identify applicants for admission who may be mentally ill and
4822 subject to the requirements of this section, nursing facilities may not
4823 admit any person, irrespective of source of payment, unless an
4824 identification screen developed, or in the case of out-of-state residents
4825 approved, by the Department of [Social] Human Services has been
4826 completed and filed in accordance with federal law.

4827 (c) No payment from any source shall be due to any nursing facility
4828 that admits a resident in violation of the preadmission screening
4829 requirements of this section.

4830 (d) A nursing facility shall notify the Department of [Mental Health
4831 and Addiction] Human Services when a resident who is mentally ill
4832 undergoes a significant change in condition or when a resident who
4833 has not previously been diagnosed as mentally ill undergoes a change
4834 in condition which may require specialized services. Upon such
4835 notifications, the Department of [Mental Health and Addiction
4836 Services, under the auspices of the Department of Social Services,]
4837 Human Services shall perform an evaluation to determine whether the
4838 resident requires the level of services provided by a nursing facility or
4839 requires specialized services for mental illness.

4840 (e) The Department of [Mental Health and Addiction] Human
4841 Services [, in consultation with the Department of Social Services,] may
4842 no less than annually review, within available appropriations, the
4843 status of each resident in a nursing facility who is mentally ill to
4844 determine whether the resident requires (1) the level of services
4845 provided by a nursing facility, or (2) specialized services for mental
4846 illness. Nursing facilities shall grant to the Department of [Mental
4847 Health and Addiction Services and the Department of Social] Human
4848 Services access to nursing facility residents and their medical records
4849 for the purposes of this section.

4850 (f) In the case of a mentally ill resident who is determined under

4851 subsection (b), (d) or (e) of this section not to require the level of
4852 services provided by a nursing facility but to require specialized
4853 services for mental illness and who has continuously resided in a
4854 nursing facility for at least thirty months before the date of the
4855 determination, the resident may elect to remain in the facility or to
4856 receive services covered by Medicaid in an alternative appropriate
4857 institutional or noninstitutional setting in accordance with the
4858 alternative disposition plan submitted by the Department of [Social]
4859 Human Services to the Secretary of the United States Department of
4860 Health and Human Services, and consistent with the Department of
4861 [Mental Health and Addiction] Human Services requirements for the
4862 provision of specialized services.

4863 (g) In the case of a mentally ill resident who is determined under
4864 subsection (b), (d) or (e) of this section not to require the level of
4865 services provided by a nursing facility but to require specialized
4866 services for mental illness and who has not continuously resided in a
4867 nursing facility for at least thirty months before the date of the
4868 determination, the nursing facility in consultation with the Department
4869 of [Mental Health and Addiction] Human Services shall arrange for
4870 the safe and orderly discharge of the resident from the facility. If the
4871 department determines that the provision of specialized services
4872 requires an alternate residential placement, the discharge and transfer
4873 of the resident shall be made in accordance with the alternative
4874 disposition plan submitted by the Department of [Social] Human
4875 Services and approved by the Secretary of the United States
4876 Department of Health and Human Services, except if an alternate
4877 residential placement is not available, the resident shall not be
4878 transferred.

4879 (h) In the case of a resident who is determined under subsection (b),
4880 (d) or (e) of this section not to require the level of services provided by
4881 a nursing facility and not to require specialized services, the nursing
4882 facility shall arrange for the safe and orderly discharge of the resident
4883 from the facility.

4884 (i) Any person seeking admittance to a nursing facility or any
4885 resident of a nursing facility who is adversely affected by a
4886 determination of the Department of [Mental Health and Addiction]
4887 Human Services under this section may appeal such determination to
4888 the Department of [Social] Human Services within fifteen days of the
4889 receipt of the notice of a determination by the [Department of Mental
4890 Health and Addiction Services] department. If an appeal is taken [to
4891 the Department of Social Services] the determination of the
4892 Department of [Mental Health and Addiction] Human Services shall
4893 be stayed pending determination [by the Department of Social
4894 Services] of the appeal.

4895 Sec. 174. Section 17b-360 of the general statutes is repealed and the
4896 following is substituted in lieu thereof (*Effective October 1, 2010*):

4897 (a) For purposes of this section, the terms "mental retardation", "a
4898 condition related to mental retardation" and "specialized services" shall
4899 be as defined in Subsection (e)(7)(G)(ii) of Section 1919 of the Social
4900 Security Act and federal regulations.

4901 (b) No nursing facility may admit any new resident irrespective of
4902 source of payment, who has mental retardation or has a condition
4903 related to mental retardation unless the Department of
4904 [Developmental] Human Services has determined prior to admission
4905 based upon an independent physical and mental evaluation performed
4906 by [or under the auspices of the Department of Social Services] the
4907 department that because of the physical and mental condition of the
4908 individual, the individual requires the level of services provided by a
4909 nursing facility. If the individual requires such level of services, the
4910 Department of [Developmental] Human Services shall also determine
4911 whether the individual requires specialized services for such
4912 condition. An individual who is determined by the Department of
4913 [Developmental] Human Services to have mental retardation or to
4914 have a related condition and is determined not to require nursing
4915 facility level of services shall not be admitted to a nursing facility. In
4916 order to implement the preadmission review requirements of this

4917 section, and to identify applicants for admission who may have mental
4918 retardation or have conditions related to mental retardation and
4919 subject to the requirements of this section, nursing facilities may not
4920 admit any individual irrespective of source of payment, unless an
4921 identification screen developed, or in the case of out-of-state residents
4922 approved, by the Department of [Social] Human Services has been
4923 completed for the applicant and filed in accordance with federal law.

4924 (c) No payment from any source shall be due to a nursing facility
4925 that admits a resident in violation of the preadmission screening
4926 requirements of this section.

4927 (d) A nursing facility shall notify the Department of
4928 [Developmental] Human Services when a resident who has mental
4929 retardation undergoes a change in condition or when a resident who
4930 has not previously been diagnosed as having mental retardation
4931 undergoes a significant change in condition which may require
4932 specialized services. Upon such notification, the Department of
4933 [Developmental Services, under the auspices of the Department of
4934 Social Services,] Human Services shall perform an evaluation to
4935 determine whether the resident requires the level of services provided
4936 by a nursing facility or requires specialized services for mental
4937 retardation.

4938 (e) In the case of a resident who is determined under subsection (d)
4939 of this section not to require the level of services provided by a nursing
4940 facility but to require specialized services for mental retardation or a
4941 condition related to mental retardation and who has continually
4942 resided in a nursing facility for at least thirty months before the date of
4943 the determination, the resident may elect to remain in the facility or to
4944 receive services covered by Medicaid in an alternative appropriate
4945 institutional or noninstitutional setting in accordance with the terms of
4946 the alternative disposition plan submitted by the Department of
4947 [Social] Human Services and approved by the Secretary of the United
4948 States Department of Health and Human Services.

4949 (f) In the case of a resident with mental retardation or a related
4950 condition who is determined under subsection (d) of this section not to
4951 require the level of services provided by a nursing facility but to
4952 require specialized services for mental retardation or a related
4953 condition and who has not continuously resided in a nursing facility
4954 for at least thirty months before the date of the determination, the
4955 nursing facility, in consultation with the Department of
4956 [Developmental] Human Services, shall arrange for the safe and
4957 orderly discharge of the resident from the facility. If the department
4958 determines that the provision of specialized services requires an
4959 alternative residential placement, the discharge and transfer of the
4960 patient shall be in accordance with the alternative disposition plan
4961 submitted by the Department of [Social] Human Services and
4962 approved by the Secretary of the United States Department of Health
4963 and Human Services, except if an alternative residential facility is not
4964 available, the resident shall not be transferred.

4965 (g) In the case of a resident who is determined under subsection (d)
4966 of this section not to require the level of services provided by a nursing
4967 facility and not to require specialized services, the nursing facility shall
4968 arrange for the safe and orderly discharge of the resident from the
4969 facility.

4970 (h) The Department of [Developmental] Human Services shall be
4971 the agency responsible for making the determinations required by this
4972 section on behalf of individuals who have mental retardation and on
4973 behalf of individuals with conditions related to mental retardation and
4974 may provide services to such individuals to the extent required by
4975 federal law.

4976 (i) Any person seeking admittance to a nursing facility or any
4977 resident of a nursing facility who is adversely affected by a
4978 determination of the Department of [Developmental] Human Services
4979 under this section may appeal such determination to the Department
4980 of [Social] Human Services within fifteen days of the receipt of the
4981 notice of a determination by the Department of [Developmental]

4982 Human Services. If an appeal is taken, [to the Department of Social
4983 Services,] the determination of the Department of [Developmental]
4984 Human Services shall be stayed pending determination [by the
4985 Department of Social Services] of the appeal.

4986 Sec. 175. Section 17b-602a of the general statutes is repealed and the
4987 following is substituted in lieu thereof (*Effective October 1, 2010*):

4988 (a) The Department of [Social] Human Services, in consultation with
4989 the [Department of Mental Health and Addiction Services and the]
4990 Community Mental Health Strategy Board established under section
4991 17a-485b, may seek approval of an amendment to the state Medicaid
4992 plan or a waiver from federal law, whichever is sufficient and most
4993 expeditious, to establish and implement a Medicaid-financed home
4994 and community-based program to provide community-based services
4995 and, if necessary, housing assistance, to adults with severe and
4996 persistent psychiatric disabilities being discharged or diverted from
4997 nursing home residential care.

4998 (b) On or before January 1, 2007, and annually thereafter, the
4999 Commissioner of [Social Services, in consultation with the
5000 Commissioner of Mental Health and Addiction Services,] Human
5001 Services shall submit a report to the joint standing committee of the
5002 General Assembly having cognizance of matters relating to public
5003 health, in accordance with the provisions of section 11-4a, on the status
5004 of any amendment to the state Medicaid plan or waiver from federal
5005 law pursuant to subsection (a) of this section and on the establishment
5006 and implementation of the program authorized under said subsection
5007 (a).

5008 Sec. 176. Subsection (c) of section 17b-417 of the general statutes is
5009 repealed and the following is substituted in lieu thereof (*Effective*
5010 *October 1, 2010*):

5011 (c) Not later than June 30, 2005, the Long-Term Care Ombudsman
5012 shall submit a report on the pilot program to the [Commissioners of
5013 Social Services and Public Health] Commissioner of Human Services,

5014 to the joint standing committees of the General Assembly having
5015 cognizance of matters relating to human services, public health and
5016 appropriations, and to the select committee of the General Assembly
5017 having cognizance of matters relating to aging. The report shall be
5018 submitted in accordance with section 11-4a.

5019 Sec. 177. Subsection (a) of section 17b-611 of the general statutes is
5020 repealed and the following is substituted in lieu thereof (*Effective*
5021 *October 1, 2010*):

5022 (a) The Commissioner of [Social Services, after consultation with the
5023 Commissioner of Public Health,] Human Services may contract with
5024 an insurer, within available appropriations, to provide a subsidized
5025 nongroup health insurance product for disabled persons who would
5026 be eligible to receive supplemental security income benefits except for
5027 income and who have incomes above the eligibility limit for Medicaid
5028 and under two hundred per cent of the federal poverty level. The
5029 contract shall include a sliding fee schedule based on income for
5030 premiums and shall provide for the setting of premiums at a level to
5031 cover twenty per cent of program costs. The contract shall provide for
5032 the use of mechanisms to control costs.

5033 Sec. 178. Subsection (a) of section 17b-666 of the general statutes is
5034 repealed and the following is substituted in lieu thereof (*Effective*
5035 *October 1, 2010*):

5036 (a) The Bureau of Rehabilitation Services of the Department of
5037 [Social] Human Services may receive state and federal funds to
5038 administer, within available appropriations, an employment
5039 opportunities program to serve individuals with the most significant
5040 disabilities who do not meet the eligibility requirements of supported
5041 employment programs administered by the [Departments of
5042 Developmental Services and Mental Health and Addiction Services]
5043 Department of Human Services. For the purposes of this section,
5044 "individuals with the most significant disabilities" means those
5045 individuals who (1) have serious employment limitations in a total of

5046 three or more functional areas including, but not limited to, mobility,
5047 communication, self-care, interpersonal skills, work tolerance or work
5048 skills, or (2) will require significant ongoing disability-related services
5049 on the job in order to maintain employment.

5050 Sec. 179. Subsection (a) of section 17b-694 of the general statutes is
5051 repealed and the following is substituted in lieu thereof (*Effective*
5052 *October 1, 2010*):

5053 (a) The Labor Commissioner, in consultation with the
5054 [Commissioners of Social Services and Mental Health] Commissioner
5055 of Human Services, shall administer a grant program, within available
5056 appropriations, to fund employment placement projects for recipients
5057 of state-administered general assistance, cash assistance or medical
5058 assistance or recipients of Medicaid who are eighteen to twenty years
5059 of age. A grant may be awarded to (1) a municipality or group of
5060 towns which form a region based on a project plan providing
5061 education, training or other assistance in securing employment, (2) a
5062 private substance abuse or mental health services provider based on a
5063 project plan incorporating job placement in the treatment process, or
5064 (3) a nonprofit organization providing employment services when no
5065 municipality or group of towns elect to apply for such a grant for a
5066 given geographic area. A plan may include cash incentives as a
5067 supplement to wages for recipients who work.

5068 Sec. 180. Section 17b-732 of the general statutes is repealed and the
5069 following is substituted in lieu thereof (*Effective October 1, 2010*):

5070 Uniform forms of commitment papers or mittimus shall be used by
5071 all authorities throughout the state in the commitment by them of
5072 minors to the Commissioner [of Social Services, the Commissioner of
5073 Children and Families] Human Services or humane or reformatory
5074 institutions. Such forms shall be prepared by the Attorney General,
5075 printed at the expense of the state and furnished by the Commissioner
5076 of [Social] Human Services or his designee. In such forms there shall be
5077 stated the following particulars in regard to the minor committed

5078 thereby: Name, age or date of birth as exactly as can be determined,
5079 and the town or city and state in which born; name, nationality and
5080 religious preference of the parents so far as known. The age thus
5081 ascertained shall be taken as the true age of such minor with reference
5082 to the term of commitment. The authority committing any minor to the
5083 Commissioner of [Social Services, the Commissioner of Children and
5084 Families] Human Services or the Southbury Training School shall
5085 forthwith send a notice of such commitment to the Commissioner of
5086 [Social] Human Services or his designee in a form approved by him.
5087 The provisions of this section shall not apply to commitment papers
5088 made pursuant to sections 18-65a or 18-73, which shall be prepared by
5089 the Judicial Department.

5090 Sec. 181. Section 17b-733 of the general statutes is repealed and the
5091 following is substituted in lieu thereof (*Effective October 1, 2010*):

5092 The Department of [Social] Human Services shall be the lead agency
5093 for child day care services in Connecticut. The department shall: (1)
5094 Identify, annually, existing child day care services and maintain an
5095 inventory of all available services; (2) provide technical assistance to
5096 corporations and private agencies in the development and expansion
5097 of child day care services for families at all income levels, including
5098 families of their employees and clients; (3) study and identify funding
5099 sources available for child day care including federal funds and tax
5100 benefits; (4) study the cost and availability of liability insurance for
5101 child day care providers; (5) provide, in conjunction with the
5102 Departments of Education and Higher Education, ongoing training for
5103 child day care providers including preparing videotaped workshops
5104 and distributing them to cable stations for broadcast on public access
5105 stations, and seek private donations to fund such training; (6)
5106 encourage child day care services to obtain accreditation; (7) develop a
5107 range of financing options for child care services, including the use of a
5108 tax-exempt bond program, a loan guarantee program and establishing
5109 a direct revolving loan program; (8) promote the colocation of child
5110 day care and school readiness programs pursuant to section 4b-31; (9)
5111 establish a performance-based evaluation system; (10) develop for

5112 recommendation to the Governor and the General Assembly measures
5113 to provide incentives for the private sector to develop and support
5114 expanded child day care services; (11) provide, within available funds
5115 and in conjunction with the temporary family assistance program as
5116 defined in section 17b-680, child day care to public assistance
5117 recipients; (12) develop and implement, with the assistance of the
5118 Child Day Care Council and the Departments of [Public Health, Social
5119 Services,] Education, Higher Education, [Children and Families,]
5120 Economic and Community Development and Consumer Protection, a
5121 state-wide coordinated child day care and early childhood education
5122 training system (A) for child day care centers, group day care homes
5123 and family day care homes that provide child day care services, and
5124 (B) that makes available to such providers and their staff, within
5125 available appropriations, scholarship assistance, career counseling and
5126 training, advancement in career ladders, as defined in section 4-124bb,
5127 through seamless articulation of levels of training, program
5128 accreditation support and other initiatives recommended by the
5129 Departments of [Social] Human Services, Education and Higher
5130 Education; (13) plan and implement a unit cost reimbursement system
5131 for state-funded child day care services such that, on and after January
5132 1, 2008, any increase in reimbursement shall be based on a requirement
5133 that such centers meet the staff qualifications, as defined in subsection
5134 (b) of section 10-16p; (14) develop, within available funds, initiatives to
5135 increase compensation paid to child day care providers for educational
5136 opportunities, including, but not limited to, (A) incentives for
5137 educational advancement paid to persons employed by child day care
5138 centers receiving state or federal funds, and (B) support for the
5139 establishment and implementation by the Labor Commissioner of
5140 apprenticeship programs for child day care workers pursuant to
5141 sections 31-22m to 31-22q, inclusive, which programs shall be jointly
5142 administered by labor and management trustees; (15) evaluate the
5143 effectiveness of any initiatives developed pursuant to subdivision (14)
5144 of this section in improving staff retention rates and the quality of
5145 education and care provided to children; and (16) report annually to
5146 the Governor and the General Assembly on the status of child day care

5147 in Connecticut. Such report shall include (A) an itemization of the
5148 allocation of state and federal funds for child care programs; (B) the
5149 number of children served under each program so funded; (C) the
5150 number and type of such programs, providers and support personnel;
5151 (D) state activities to encourage partnership between the public and
5152 private sectors; (E) average payments issued by the state for both part-
5153 time and full-time child care; (F) range of family income and
5154 percentages served within each range by such programs; and (G) age
5155 range of children served.

5156 Sec. 182. Section 17b-748 of the general statutes is repealed and the
5157 following is substituted in lieu thereof (*Effective October 1, 2010*):

5158 There is established a Child Day Care Council consisting of the
5159 Commissioner of [Public Health, the Commissioner of Social Services,
5160 the Commissioner of Children and Families] Human Services, the
5161 Commissioner of Education and the Commissioner of Economic and
5162 Community Development or a representative of each designated by
5163 him in writing to serve as such representative, and sixteen other
5164 persons appointed by the Governor. Said council shall be within the
5165 Department of [Social] Human Services for administrative purposes
5166 only. Of the persons appointed by the Governor, one shall be from
5167 among those recommended by the Connecticut Association for
5168 Education of Young Children; one shall be a member of a community
5169 council; one shall be a member of a community action program; one
5170 shall be a member of a child development or early childhood
5171 education department of a Connecticut college or university; four shall
5172 be providers of child day care services, two of whom shall be family
5173 day care providers, and two shall be child day care center providers;
5174 one shall be from among those recommended by the Permanent
5175 Commission on the Status of Women; one shall be from among those
5176 recommended by the Connecticut Commission on Children; one shall
5177 be from among those recommended by the American Academy of
5178 Pediatrics; one shall be a member of an advocacy group concerned
5179 with young children and their families; one shall be from among those
5180 recommended by the AFL-CIO Labor Council who is a member of

5181 organized labor; one shall be a member of the Connecticut Business
5182 and Industry Association; and two shall be parents, each of whom
5183 shall have a child enrolled in a child day care service. The members of
5184 the council shall serve without compensation but shall be reimbursed
5185 for necessary expenses incurred in the course of their duties. The
5186 chairperson and the vice-chairperson of the council shall be elected by
5187 the full membership of the council from among the persons appointed
5188 by the Governor and shall serve for a term of one year. The council
5189 shall meet at least ten times per year. Any appointed member who fails
5190 to attend three consecutive meetings or fails to attend fifty per cent of
5191 all meetings held during any calendar year shall be deemed to have
5192 resigned. The council shall recommend to the Commissioner of [Public
5193 Health] Human Services regulations which shall effectuate the
5194 purposes of this section and sections 17b-733, 19a-77, 19a-79, 19a-80,
5195 19a-82 to 19a-87, inclusive, and 19a-87b to 19a-87e, inclusive, including
5196 regulations relating to licensing, operation, program and professional
5197 qualifications of the staff of child day care centers, group day care
5198 homes and family day care homes and shall make recommendations to
5199 the Commissioner of [Public Health] Human Services on the
5200 administration of said sections. The Child Day Care Council shall also
5201 make recommendations to the Department of [Social] Human Services
5202 as the lead agency for day care on grants management and the
5203 planning and development of child day care services. In addition, the
5204 council shall provide guidelines for drop-in supplementary child care
5205 operations. Before making such recommendations, the council shall
5206 hold public hearings and invite suggestions from parents of children
5207 utilizing child day care services, as defined in section 19a-77, and from
5208 providers of such services and other interested parties. The Child Day
5209 Care Council shall study issues affecting child day care and make
5210 recommendations to the General Assembly. The council shall serve as
5211 an advisory committee to the Department of [Social] Human Services
5212 in the development of the state child care plan required pursuant to
5213 the Child Care Development and Improvement Act of 1990 and shall
5214 conduct biennial public hearings on such state plan.

5215 Sec. 183. Subsections (a) and (b) of section 17b-749 of the 2010
5216 supplement to the general statutes are repealed and the following is
5217 substituted in lieu thereof (*Effective October 1, 2010*):

5218 (a) The Commissioner of [Social] Human Services shall establish
5219 and operate a child care subsidy program to increase the availability,
5220 affordability and quality of child care services for families with a
5221 parent or caretaker who is working, attending high school or who
5222 receives cash assistance under the temporary family assistance
5223 program from the Department of [Social] Human Services and is
5224 participating in an approved education, training, or other job
5225 preparation activity. Services available under the child care program
5226 shall include the provision of child care subsidies for children under
5227 the age of thirteen or children under the age of nineteen with special
5228 needs. The department shall open and maintain enrollment for the
5229 child care subsidy program and shall administer such program within
5230 the existing budgetary resources available.

5231 (b) The commissioner shall establish income standards for
5232 applicants and recipients at a level to include a family with gross
5233 income up to fifty per cent of the state-wide median income, except the
5234 commissioner (1) may increase the income level to up to seventy-five
5235 per cent of the state-wide median income, (2) [upon the request of the
5236 Commissioner of Children and Families,] may waive the income
5237 standards for adoptive families so that children adopted on or after
5238 October 1, 1999, from the Department of [Children and Families]
5239 Human Services are eligible for the child care subsidy program, and
5240 (3) on and after March 1, 2003, shall reduce the income eligibility level
5241 to up to fifty-five per cent of the state-wide median income for
5242 applicants and recipients who qualify based on their loss of eligibility
5243 for temporary family assistance. The commissioner may adopt
5244 regulations in accordance with chapter 54 to establish income criteria
5245 and durational requirements for such waiver of income standards.

5246 Sec. 184. Subsection (b) of section 17b-751 of the 2010 supplement to
5247 the general statutes is repealed and the following is substituted in lieu

5248 thereof (*Effective October 1, 2010*):

5249 (b) There shall be established, within existing resources, a Children's
5250 Trust Fund Council which shall be within the Department of Social
5251 Services. The council shall be composed of sixteen members as follows:
5252 (1) The Commissioners of [Social] Human Services [,] and Education,
5253 [Children and Families and Public Health,] or their designees; (2) a
5254 representative of the business community with experience in fund-
5255 raising, appointed by the president pro tempore of the Senate; (3) a
5256 representative of the business community with experience in fund-
5257 raising, appointed by the speaker of the House of Representatives; (4) a
5258 representative of the business community with experience in fund-
5259 raising, appointed by the minority leader of the House of
5260 Representatives; (5) a representative of the business community with
5261 experience in fund-raising, appointed by the minority leader of the
5262 Senate; (6) a parent, appointed by the majority leader of the House of
5263 Representatives; (7) a parent, appointed by the majority leader of the
5264 Senate; (8) a parent, appointed by the president pro tempore of the
5265 Senate; (9) a person with expertise in child abuse prevention,
5266 appointed by the speaker of the House of Representatives; (10) a
5267 person with expertise in child abuse prevention, appointed by the
5268 minority leader of the House of Representatives; (11) a staff member of
5269 a child abuse prevention program, appointed by the minority leader of
5270 the Senate; (12) a staff member of a child abuse prevention program,
5271 appointed by the majority leader of the House of Representatives; and
5272 (13) a pediatrician, appointed by the majority leader of the Senate. The
5273 council shall solicit and accept funds, on behalf of the Children's Trust
5274 Fund, to be used for the prevention of child abuse and neglect and
5275 family resource programs, or on behalf of the Parent Trust Fund, to be
5276 used for parent community involvement to improve the health, safety
5277 and education of children, and shall make grants to programs
5278 pursuant to subsections (a) and (c) of this section.

5279 Sec. 185. Subsection (a) of section 17b-751c of the 2010 supplement
5280 to the general statutes is repealed and the following is substituted in
5281 lieu thereof (*Effective October 1, 2010*):

5282 (a) There is established a Nurturing Families Network Advisory
5283 Commission to monitor the state-wide system for the Nurturing
5284 Families Network developed pursuant to section 17b-751b. The
5285 commission shall consist of: (1) One member appointed by the speaker
5286 of the House of Representatives and one member appointed by the
5287 president pro tempore of the Senate, who shall be members of the
5288 General Assembly; (2) one member appointed by the minority leader
5289 of the House of Representatives and one member appointed by the
5290 minority leader of the Senate, who shall be members of the General
5291 Assembly; (3) a representative of the Governor; (4) [the Commissioner
5292 of Children and Families, or his designee; (5) the Commissioner of
5293 Social Services, or his designee; (6) the Commissioner of Public Health,
5294 or his designee; (7)] the Commissioner of Human Services, or the
5295 commissioner's designee; (5) the Commissioner of Education, or [his]
5296 the commissioner's designee; [(8)] (6) the Secretary of the Office of
5297 Policy and Management, or [his] the commissioner's designee; [(9)] (7)
5298 the executive director of the Commission on Children, or [his] the
5299 executive director's designee; [(10)] (8) a representative of the Child
5300 Advocate's Office, who shall be appointed by the minority leader of
5301 the House of Representatives; and [(11)] (9) a representative of the
5302 Connecticut Chapter of the National Committee to Prevent Child
5303 Abuse who shall be appointed by the majority leader of the Senate.

5304 Sec. 186. Subsection (b) of section 17b-803 of the general statutes is
5305 repealed and the following is substituted in lieu thereof (*Effective*
5306 *October 1, 2010*):

5307 (b) The Commissioner of [Social Services, in consultation with the
5308 Commissioner of Public Health,] Human Services shall adopt
5309 regulations in accordance with the provisions of chapter 54 to carry out
5310 the purposes of this section.

5311 Sec. 187. Section 17b-851a of the general statutes is repealed and the
5312 following is substituted in lieu thereof (*Effective October 1, 2010*):

5313 The Department of [Social] Human Services shall develop, within

5314 existing appropriations, a comprehensive plan, in consultation with
5315 the [Department of Public Health, the] Department of Education, [and
5316 the Department of Children and Families,] for the reduction in the
5317 number of teenage pregnancies.

5318 Sec. 188. Subsection (c) of section 18-96a of the general statutes is
5319 repealed and the following is substituted in lieu thereof (*Effective*
5320 *October 1, 2010*):

5321 (c) Before the planned release of any inmate diagnosed with a
5322 mental illness as provided in subsection (a) of this section from a
5323 correctional facility, the Department of Correction shall collaborate
5324 with the Judicial Department [, the Department of Social Services] and
5325 the Department of [Mental Health and Addiction] Human Services, as
5326 deemed necessary and within available appropriations, to assist such
5327 inmate in obtaining housing, mental health treatment services, any
5328 public benefits for which the inmate is eligible and employment
5329 counseling upon the inmate's release.

5330 Sec. 189. Section 19a-6d of the general statutes is repealed and the
5331 following is substituted in lieu thereof (*Effective October 1, 2010*):

5332 The Commissioner of [Public Health and the Commissioner of
5333 Mental Health and Addiction] Human Services shall, within available
5334 appropriations, develop a tobacco abuse reduction and health plan and
5335 shall submit such plan to the joint standing committees of the General
5336 Assembly having cognizance of matters relating to public health and
5337 appropriations and the budgets of state agencies, not later than April 1,
5338 2001. The plan shall consider and recommend actions to (1) reduce
5339 tobacco and substance abuse, and (2) address the unmet physical and
5340 mental health needs of the state, taking into account the most recent
5341 version of the state health plan prepared by the Department of [Public
5342 Health] Human Services pursuant to section 19a-7.

5343 Sec. 190. Subsection (a) of section 19a-7b of the 2010 supplement to
5344 the general statutes is repealed and the following is substituted in lieu
5345 thereof (*Effective October 1, 2010*):

5346 (a) There is established a Health Care Access Commission, within
5347 the legislative department, which shall be comprised of: (1) The
5348 Commissioner [of Public Health; (2) the Commissioner of Social]
5349 Human Services; [(3)] (2) the Insurance Commissioner; [(4)] (3) three
5350 members appointed by the president pro tempore of the Senate, one of
5351 whom shall be a member of the joint standing committee of the
5352 General Assembly having cognizance of matters relating to public
5353 health, one of whom shall represent community health centers and one
5354 of whom shall represent mental health services; [(5)] (4) two members
5355 appointed by the majority leader of the Senate, one of whom shall
5356 represent commercial insurance companies and one of whom shall
5357 represent the disabled; [(6)] (5) three members appointed by the
5358 minority leader of the Senate, one of whom shall be a member of the
5359 joint standing committee of the General Assembly having cognizance
5360 of matters relating to appropriations and the budgets of state agencies,
5361 one of whom shall represent Blue Cross and Blue Shield of
5362 Connecticut, Inc. and one of whom shall represent small business; [(7)]
5363 (6) three members appointed by the speaker of the House of
5364 Representatives, one of whom shall be a member of the joint standing
5365 committee of the General Assembly having cognizance of matters
5366 relating to human services, one of whom shall represent consumers
5367 and one of whom shall represent labor; [(8)] (7) two members
5368 appointed by the majority leader of the House of Representatives, one
5369 of whom shall represent large business and one of whom shall
5370 represent children; and [(9)] (8) three members appointed by the
5371 minority leader of the House of Representatives, one of whom shall be
5372 a member of the joint standing committee of the General Assembly
5373 having cognizance of matters relating to insurance, one of whom shall
5374 represent hospitals and one of whom shall be a pediatric primary care
5375 physician. All members of the commission may be represented by
5376 designees.

5377 Sec. 191. Subsection (a) of section 19a-7c of the general statutes is
5378 repealed and the following is substituted in lieu thereof (*Effective*
5379 *October 1, 2010*):

5380 (a) The Commissioner of [Public Health, in consultation with the
5381 Department of Social Services,] Human Services may contract, within
5382 available appropriations, to provide a subsidized nongroup health
5383 insurance product for pregnant women who are not eligible for
5384 Medicaid and have incomes under two hundred fifty per cent of the
5385 federal poverty level. The product shall be available to such pregnant
5386 women (1) for whom employer-based insurance is not available, or (2)
5387 who have employer-based insurance (A) to cover the cost of the
5388 premiums, copayments and deductibles of the employer-based plan
5389 provided the cost of the employer-based plan is less than the nongroup
5390 product, and (B) to provide coverage for benefits not covered by the
5391 employer-based plan which are covered under the subsidized
5392 nongroup product. The Department of [Public Health] Human
5393 Services may make such product available to limited populations, as
5394 pilot programs, initially to test the impact of program design and
5395 administration. The Department of [Social] Human Services shall assist
5396 in the administration of the programs. The contract may include, but
5397 not be limited to, provisions for coinsurance and copayment and a
5398 sliding scale based on income for premiums and shall provide for the
5399 use of mechanisms to control costs.

5400 Sec. 192. Section 19a-7e of the 2010 supplement to the general
5401 statutes is repealed and the following is substituted in lieu thereof
5402 (*Effective October 1, 2010*):

5403 The Department of [Public Health, in consultation with the
5404 Department of Social Services,] Human Services shall establish a three-
5405 year demonstration program to improve access to health care for
5406 uninsured pregnant women under two hundred fifty per cent of the
5407 poverty level. Services to be covered by the program shall include, but
5408 not be limited to, the professional services of obstetricians, dental care
5409 providers, physician assistants or midwives on the staff of the
5410 sponsoring hospital and community-based providers; services of
5411 pediatricians for purposes of assistance in delivery and postnatal care;
5412 dietary counseling; dental care; substance abuse counseling, and other
5413 ancillary services which may include substance abuse treatment and

5414 mental health services, as required by the patient's condition, history
5415 or circumstances; necessary pharmaceutical and other durable medical
5416 equipment during the prenatal period; and postnatal care, as well as
5417 preventative and primary care for children up to age six in families in
5418 the eligible income level. The program shall encourage the acquisition,
5419 sponsorship and extension of existing outreach activities and the
5420 activities of mobile, satellite and other outreach units. The
5421 Commissioner of [Public Health] Human Services shall issue a request
5422 for proposals to Connecticut hospitals. Such request shall require: (1)
5423 An interactive relationship between the hospital, community health
5424 centers, community-based providers and the healthy start program; (2)
5425 provisions for case management; (3) provisions for financial eligibility
5426 screening, referrals and enrollment assistance where appropriate to the
5427 medical assistance program, the healthy start program or private
5428 insurance; and (4) provisions for a formal liaison function between
5429 hospitals, community health centers and other health care providers.
5430 The Office of Health Care Access is authorized, through the hospital
5431 rate setting process, to fund specific additions to fiscal years 1992 to
5432 1994, inclusive, budgets for hospitals chosen for participation in the
5433 program. In requesting additions to their budgets, each hospital shall
5434 address specific program elements including adjustments to the
5435 hospital's expense base, as well as adjustments to its revenues, in a
5436 manner which will produce income sufficient to offset the adjustment
5437 in expenses. The office shall insure that the network of hospital
5438 providers will serve the greatest number of people, while not
5439 exceeding a state-wide cost increase of three million dollars per year.
5440 Hospitals participating in the program shall report monthly to the
5441 [Departments of Public Health and Social Services] Department of
5442 Human Services or [their designees] its designee and annually to the
5443 joint standing committees of the General Assembly having cognizance
5444 of matters relating to public health and human services such
5445 information as the departments and the committees deem necessary.

5446 Sec. 193. Subsection (a) of section 19a-12b of the general statutes is
5447 repealed and the following is substituted in lieu thereof (*Effective*

5448 *October 1, 2010*):

5449 (a) The Department of [Public Health] Human Services shall
5450 establish a Professional Assistance Oversight Committee for the
5451 assistance program. Such committee's duties shall include, but not be
5452 limited to, overseeing quality assurance. The oversight committee shall
5453 consist of the following members: (1) [Three] Four members selected
5454 by the department, who are health care professionals with training and
5455 experience in mental health or addiction services, and (2) three
5456 members selected by the assistance program, who are not employees,
5457 board or committee members of the assistance program and who are
5458 health care professionals with training and experience in mental health
5459 or addiction services. [, and (3) one member selected by the
5460 Department of Mental Health and Addiction Services who is a health
5461 care professional.]

5462 Sec. 194. Section 19a-24 of the general statutes is repealed and the
5463 following is substituted in lieu thereof (*Effective October 1, 2010*):

5464 (a) Any claim for damages in excess of seven thousand five hundred
5465 dollars on account of any official act or omission of the Commissioner
5466 of [Public Health or the Commissioner of Developmental] Human
5467 Services or any member of [their staffs] the commissioner's staff, any
5468 member of the Council on Tuberculosis Control, Hospital Care and
5469 Rehabilitation, the Council on Developmental Services or either of the
5470 boards of trustees of the state training schools or any member of any
5471 regional advisory and planning council or any superintendent,
5472 director, employee or staff member of any chronic disease hospital or
5473 state training school or state developmental services region shall be
5474 brought as a civil action against the [commissioners] commissioner in
5475 [their official capacities] the commissioner's official capacity and said
5476 [commissioners] commissioner shall be represented therein by the
5477 Attorney General in the manner provided in chapter 35. Damages
5478 recovered in such action shall be a proper charge against the General
5479 Fund of the state and shall be paid in the manner provided in section
5480 3-117. Any such claim for damages not in excess of seven thousand

5481 five hundred dollars shall be presented to the Claims Commissioner in
5482 accordance with chapter 53 if such claim is otherwise cognizable by the
5483 Claims Commissioner.

5484 (b) Neither the Commissioner of [Public Health nor the
5485 Commissioner of Developmental] Human Services nor any member of
5486 [their staffs,] the commissioner's staff shall be held personally liable in
5487 any civil action for damages on account of any official act or omission
5488 of any superintendent, director, employee or staff member of any
5489 chronic disease hospital or state training school or state developmental
5490 services region nor on account of any official act or omission of such
5491 [commissioners] commissioner or member of [their staffs] the
5492 commissioner's staff or any member of the councils or boards of
5493 trustees created by sections 17a-270 and 17a-271.

5494 (c) No employee or staff member of said [commissioners]
5495 commissioner or any superintendent, director, employee or staff
5496 member of any chronic disease hospital or state training school or state
5497 developmental services region shall be held personally liable in any
5498 civil action for damages on account of any official act or omission not
5499 wanton or wilful of such superintendent, director, employee or staff
5500 member.

5501 (d) The state of Connecticut shall indemnify and save harmless each
5502 member of the councils or boards of trustees established by sections
5503 17a-270, 17a-271 and 17a-273 from all claims and demands that may
5504 accrue or be asserted by reason of any act of such councils or boards of
5505 trustees or any failure to act by such councils or boards of trustees
5506 where no malice, fraud or conflict of interest is found to exist. The
5507 provisions of this section shall be deemed to apply individually to each
5508 member of such councils or boards of trustees.

5509 (e) Any person to whom the provisions of subsection (b), (c) or (d)
5510 hereof are applicable and against whom any action shall be brought on
5511 account of any act alleged to be an official act or omission as aforesaid
5512 or any other act as to which protection is afforded by the provisions of

5513 this section shall be represented therein by the Attorney General in the
5514 manner provided in chapter 35.

5515 Sec. 195. Section 19a-25e of the 2010 supplement to the general
5516 statutes is repealed and the following is substituted in lieu thereof
5517 (*Effective October 1, 2010*):

5518 (a) The Department of [Public Health] Human Services and The
5519 University of Connecticut Health Center may, within available
5520 appropriations, develop a Connecticut Health Information Network
5521 plan to securely integrate state health and social services data,
5522 consistent with state and federal privacy laws, within and across The
5523 University of Connecticut Health Center and the [Departments of
5524 Public Health, Developmental Services and Children and Families]
5525 Department of Human Services. Data from other state agencies may be
5526 integrated into the network as funding permits and as permissible
5527 under federal law.

5528 (b) The Department of [Public Health] Human Services and The
5529 Center for Public Health and Health Policy at The University of
5530 Connecticut Health Center shall collaborate with the [Departments]
5531 Department of Information Technology [, Developmental Services, and
5532 Children and Families] to develop the Connecticut Health Information
5533 Network plan.

5534 (c) The plan shall: (1) Include research in and describe existing
5535 health and human services data; (2) inventory the various health and
5536 human services data aggregation initiatives currently underway; (3)
5537 include a framework and options for the implementation of a
5538 Connecticut Health Information Network, including query
5539 functionality to obtain aggregate data on key health indicators within
5540 the state; (4) identify and comply with confidentiality, security and
5541 privacy standards; and (5) include a detailed cost estimate for
5542 implementation and potential sources of funding.

5543 Sec. 196. Subsection (a) of section 19a-25h of the 2010 supplement to
5544 the general statutes is repealed and the following is substituted in lieu

5545 thereof (*Effective October 1, 2010*):

5546 (a) There is established a health information technology and
5547 exchange advisory committee. The committee shall consist of twelve
5548 members as follows: The Lieutenant Governor; three appointed by the
5549 Governor, one of whom shall be a representative of a medical research
5550 organization, one of whom shall be an insurer or representative of a
5551 health plan, and one of whom shall be an attorney with background
5552 and experience in the field of privacy, health data security or patient
5553 rights; two appointed by the president pro tempore of the Senate, one
5554 of whom shall have background and experience with a private sector
5555 health information exchange or health information technology entity,
5556 and one of whom shall have expertise in public health; two appointed
5557 by the speaker of the House of Representatives, one of whom shall be a
5558 representative of hospitals, an integrated delivery network or a
5559 hospital association, and one of whom who shall have expertise with
5560 federally qualified health centers; one appointed by the majority leader
5561 of the Senate, who shall be a primary care physician whose practice
5562 utilizes electronic health records; one appointed by the majority leader
5563 of the House of Representatives, who shall be a consumer or consumer
5564 advocate; one appointed by the minority leader of the Senate, who
5565 shall have background and experience as a pharmacist or other health
5566 care provider that utilizes electronic health information exchange; and
5567 one appointed by the minority leader of the House of Representatives,
5568 who shall be a large employer or a representative of a business group.
5569 The Commissioners of [Public Health, Social] Human Services,
5570 Consumer Protection and the Office of Health Care Access, the Chief
5571 Information Officer, the Secretary of the Office of Policy and
5572 Management and the Healthcare Advocate, or their designees, shall be
5573 ex-officio, nonvoting members of the committee.

5574 Sec. 197. Section 19a-36b of the general statutes is repealed and the
5575 following is substituted in lieu thereof (*Effective October 1, 2010*):

5576 (a) Any person who serves meals to individuals at registered
5577 congregate meal sites funded under Title III of the Older Americans

5578 Act of 1965, as amended, which were prepared under the supervision
5579 of a qualified food operator, shall be exempt from the examination
5580 requirement for qualified food operators.

5581 (b) Any volunteer who serves meals for a nonprofit organization
5582 shall be exempt from the examination requirement for qualified food
5583 operators.

5584 (c) The Commissioner of [Public Health, in conjunction with the
5585 Commissioner of Social Services,] Human Services shall adopt
5586 regulations in accordance with the provisions of chapter 54 to establish
5587 training procedures for persons exempt from the examination
5588 requirement for qualified food operators under the provisions of
5589 subsections (a) and (b) of this section.

5590 Sec. 198. Subsection (a) of section 19a-59b of the general statutes is
5591 repealed and the following is substituted in lieu thereof (*Effective*
5592 *October 1, 2010*):

5593 (a) The Commissioner of [Public Health] Human Services shall
5594 establish a maternal and child health protection program. He shall
5595 contract, for purposes of the program, annually, within available
5596 appropriations, with local providers of health services to provide
5597 outpatient maternal health services and labor and delivery services to
5598 needy pregnant women and child health services to children under six
5599 years of age. Eligibility shall be limited to families who have an income
5600 equal to or less than one hundred eighty-five per cent of the poverty
5601 level, according to the federal Office of Management and Budget
5602 poverty guidelines for nonfarm families, lack private, third party
5603 health insurance to cover such services. Such local providers shall
5604 determine eligibility for services under the program. The contracts
5605 shall include criteria for making such determination in accordance
5606 with this section. Outpatient services provided under the program
5607 shall include at least the outpatient services provided to Medicaid
5608 recipients. The commissioner shall conduct an outreach program
5609 designed to educate the public with regard to the program and to

5610 encourage providers to participate in the program. The commissioner
5611 [, in consultation with the Commissioner of Social Services,] shall seek
5612 any federal matching funds available for the program.

5613 Sec. 199. Section 19a-59e of the general statutes is repealed and the
5614 following is substituted in lieu thereof (*Effective October 1, 2010*):

5615 (a) The Department of [Public Health, in consultation with the
5616 Department of Social Services,] Human Services shall create a joint
5617 program between public and private organizations to design and
5618 establish a three-year media campaign entitled "Campaign For Our
5619 Children" for the purpose of reducing adolescent pregnancy in the
5620 state.

5621 (b) Said media campaign shall have as its central focus the reduction
5622 of teen pregnancy and shall include the following strategies: (1)
5623 Delaying sexual intercourse among adolescents; (2) promoting
5624 pregnancy prevention among adolescents; (3) educating male
5625 adolescents about sexual and parenting responsibilities including child
5626 support; (4) promoting communication skills to parents of adolescents
5627 to assist such parents in educating their children about sexual and
5628 parenting responsibilities; (5) promoting community involvement by
5629 adolescents for the purpose of building self-esteem and individual
5630 skills; and (6) educating the community about the offenses of sexual
5631 assault of a minor, pursuant to sections 53a-70, 53a-71 and 53a-73a.

5632 (c) Notwithstanding the provisions of sections 4-212 to 4-219,
5633 inclusive, the Department of [Public Health, in consultation with the
5634 Department of Social Services,] Human Services shall solicit bids from
5635 private organizations for the design and operation of said media
5636 campaign. Such bids shall be solicited by sending notice to prospective
5637 organizations and by posting notice on public bulletin boards within
5638 said departments. Each bid shall be opened publicly at the time stated
5639 in the notice soliciting such bid. Acceptance of a bid by said
5640 departments shall be based on standard specifications adopted by said
5641 departments. The department may accept gifts, donations, bequests,

5642 grants or funds from public or private agencies for any or all of the
5643 purposes of this section.

5644 (d) On October 1, 1997, and annually thereafter, the Commissioner
5645 of [Public Health] Human Services shall submit a report to the joint
5646 standing committees of the General Assembly having cognizance of
5647 matters relating to appropriations and budgets of state agencies and
5648 public health. The report shall describe the status of the program
5649 established by this section and shall include, but not be limited to, the
5650 manner in which funds have been or will be spent in meeting the
5651 mandates of subdivisions (1) to (6), inclusive, of subsection (b) of this
5652 section.

5653 Sec. 200. Section 19a-60a of the general statutes is repealed and the
5654 following is substituted in lieu thereof (*Effective October 1, 2010*):

5655 The Commissioner of [Public Health, the Commissioner of Social]
5656 Human Services and the chief executive officer of The University of
5657 Connecticut Health Center [.] shall establish a pilot program for the
5658 delivery of dental services to children of low-income families in two
5659 regions of the state. Such program shall provide for the design and
5660 implementation of a model integrated system of children's dental care
5661 in such regions, including dental disease prevention and service
5662 intervention components, and shall provide for measurable outcomes.

5663 Sec. 201. Subsection (a) of section 19a-62a of the general statutes is
5664 repealed and the following is substituted in lieu thereof (*Effective*
5665 *October 1, 2010*):

5666 (a) (1) Within available appropriations, the Commissioner of [Public
5667 Health, in consultation with the Commissioner of Social Services,]
5668 Human Services shall establish a pilot program for the early
5669 identification and treatment of pediatric asthma. The Commissioner of
5670 [Public Health] Human Services shall make grants-in-aid under the
5671 pilot program for projects to be established in two municipalities to
5672 identify, screen and refer children with asthma for treatment. Such
5673 projects shall work cooperatively with providers of maternal and child

5674 health, including, but not limited to, local health departments,
5675 community health centers, Healthy Start and the Nurturing Families
5676 Network established pursuant to section 17b-751b, to target children
5677 who were born prematurely, premature infants or pregnant women at
5678 risk of premature delivery for early identification of asthma. Such
5679 projects may utilize private resources through public-private
5680 partnerships to establish a public awareness program and innovative
5681 outreach initiatives targeting urban areas to encourage early screening
5682 of children at risk of asthma.

5683 (2) The Commissioner of [Public Health] Human Services shall
5684 evaluate the pilot program established under this subsection and shall
5685 submit a report of the commissioner's findings and recommendations
5686 to the joint standing committees of the General Assembly having
5687 cognizance of matters relating to public health, human services and
5688 appropriations and the budgets of state agencies, not later than
5689 October 1, 2001, in accordance with the provisions of section 11-4a.

5690 Sec. 202. Subsection (c) of section 19a-80 of the 2010 supplement to
5691 the general statutes is repealed and the following is substituted in lieu
5692 thereof (*Effective October 1, 2010*):

5693 (c) The Commissioner of [Public Health] Human Services, within
5694 available appropriations, shall require each prospective employee of a
5695 child day care center or group day care home in a position requiring
5696 the provision of care to a child to submit to state and national criminal
5697 history records checks. The criminal history records checks required
5698 pursuant to this subsection shall be conducted in accordance with
5699 section 29-17a. The commissioner shall also request a check of the state
5700 child abuse registry established pursuant to section 17a-101k.
5701 [Pursuant to the interagency agreement provided for in section 10-16s,
5702 the Department of Social Services may agree to transfer funds
5703 appropriated for criminal history records checks to the Department of
5704 Public Health.] The commissioner shall notify each licensee of the
5705 provisions of this subsection.

5706 Sec. 203. Section 19a-80f of the 2010 supplement to the general
5707 statutes is repealed and the following is substituted in lieu thereof
5708 (*Effective October 1, 2010*):

5709 (a) As used in this section, "facility" means a child day care center, a
5710 group day care home and a family day care home, as defined in section
5711 19a-77, and a youth camp, as defined in section 19a-420.

5712 [(b) Notwithstanding any provision of the general statutes, the
5713 Commissioner of Children and Families, or the commissioner's
5714 designee, shall provide to the Department of Public Health all records
5715 concerning reports and investigations of suspected child abuse or
5716 neglect, including records of any administrative hearing held pursuant
5717 to section 17a-101k: (1) Occurring at any facility, and (2) by any staff
5718 member or licensee of any facility and by any household member of
5719 any family day care home, as defined in section 19a-77, irrespective of
5720 where the abuse or neglect occurred.]

5721 [(c)] (b) The Department of [Children and Families and the
5722 Department of Public Health] Human Services shall [jointly]
5723 investigate reports of abuse or neglect occurring at any facility. [All
5724 information, records and reports concerning such investigation shall
5725 be shared between agencies as part of the investigative process.]

5726 [(d)] (c) The Commissioner of [Public Health] Human Services shall
5727 compile a listing of allegations of violations that have been
5728 substantiated by the Department of [Public Health] Human Services
5729 concerning a facility during the prior three-year period. The
5730 Commissioner of [Public Health] Human Services shall disclose
5731 information contained in the listing to any person who requests it,
5732 provided the information does not identify children or family
5733 members of those children.

5734 [(e) Notwithstanding any provision of the general statutes, when the
5735 Commissioner of Children and Families has made a finding
5736 substantiating abuse or neglect: (1) That occurred at a facility, or (2) by
5737 any staff member or licensee of any facility, or by any household

5738 member of any family day care home and such finding is included on
5739 the state child abuse or neglect registry, maintained by the Department
5740 of Children and Families pursuant to section 17a-101k, such finding
5741 may be included in the listing compiled by the Department of Public
5742 Health pursuant to subsection (d) of this section and may be disclosed
5743 to the public by the Department of Public Health.

5744 (f) Notwithstanding any provision of the general statutes, when the
5745 Commissioner of Children and Families, pursuant to section 17a-101j,
5746 has notified the Department of Public Health of suspected child abuse
5747 or neglect at a facility and if such child abuse or neglect resulted in or
5748 involves (1) the death of a child; (2) the risk of serious physical injury
5749 or emotional harm of a child; (3) the serious physical harm of a child;
5750 (4) the arrest of a person due to abuse or neglect of a child; (5) a
5751 petition filed by the Commissioner of Children and Families pursuant
5752 to section 17a-112 or 46b-129; or (6) sexual abuse of a child, the
5753 Commissioner of Public Health may include a finding of child abuse or
5754 neglect in the listing under subsection (d) of this section and may
5755 disclose such finding to the public. If the Commissioner of Children
5756 and Families, or the commissioner's designee, notifies the
5757 Commissioner of Public Health that such child abuse or neglect was
5758 not substantiated after investigation or reversed after appeal, the
5759 Commissioner of Public Health shall immediately remove such
5760 information from the listing and shall not further disclose any such
5761 information to the public.]

5762 [(g)] (d) Notwithstanding any provision of the general statutes, all
5763 records [provided by the Commissioner of Children and Families, or
5764 the commissioner's designee, to] of the Department of [Public Health]
5765 Human Services regarding child abuse or neglect occurring at any
5766 facility, may be utilized in an administrative proceeding or court
5767 proceeding relative to facility licensing. In any such proceeding, such
5768 records shall be confidential, except as provided by the provisions of
5769 section 4-177c, and such records shall not be subject to disclosure
5770 pursuant to section 1-210.

5771 Sec. 204. Section 19a-82 of the general statutes is repealed and the
5772 following is substituted in lieu thereof (*Effective October 1, 2010*):

5773 The Commissioner of [Public Health] Human Services shall utilize
5774 consultative services and assistance from the [Departments]
5775 Department of Education [, Mental Health and Addiction Services and
5776 Social Services] and from municipal building, fire and health
5777 departments. The commissioner shall make periodic inspections of
5778 licensed day care centers, group day care homes and family day care
5779 homes and shall provide technical assistance to licensees and
5780 applicants for licenses to assist them to attain and maintain the
5781 standards established in regulations adopted under sections 19a-77 to
5782 19a-80, inclusive, 19a-82 to 19a-87, inclusive, and 19a-87b.

5783 Sec. 205. Section 19a-127*l* of the 2010 supplement to the general
5784 statutes is repealed and the following is substituted in lieu thereof
5785 (*Effective October 1, 2010*):

5786 (a) There is established a quality of care program within the
5787 Department of [Public Health] Human Services. The department shall
5788 develop for the purposes of said program (1) a standardized data set to
5789 measure the clinical performance of health care facilities, as defined in
5790 section 19a-630, and require such data to be collected and reported
5791 periodically to the department, including, but not limited to, data for
5792 the measurement of comparable patient satisfaction, and (2) methods
5793 to provide public accountability for health care delivery systems by
5794 such facilities. The department shall develop such set and methods for
5795 hospitals during the fiscal year ending June 30, 2003, and the
5796 committee established pursuant to subsection (c) of this section shall
5797 consider and may recommend to the joint standing committee of the
5798 General Assembly having cognizance of matters relating to public
5799 health the inclusion of other health care facilities in each subsequent
5800 year.

5801 (b) In carrying out its responsibilities under subsection (a) of this
5802 section, the department shall develop the following for the quality of

5803 care program:

- 5804 (1) Comparable performance measures to be reported;
- 5805 (2) Selection of patient satisfaction survey measures and
5806 instruments;
- 5807 (3) Methods and format of standardized data collection;
- 5808 (4) Format for a public quality performance measurement report;
- 5809 (5) Human resources and quality measurements;
- 5810 (6) Medical error reduction methods;
- 5811 (7) Systems for sharing and implementing universally accepted best
5812 practices;
- 5813 (8) Systems for reporting outcome data;
- 5814 (9) Systems for continuum of care;
- 5815 (10) Recommendations concerning the use of an ISO 9000 quality
5816 auditing program;
- 5817 (11) Recommendations concerning the types of statutory protection
5818 needed prior to collecting any data or information under this section
5819 and sections 19a-127m and 19a-127n; and
- 5820 (12) Any other issues that the department deems appropriate.
- 5821 (c) (1) There is established a Quality of Care Advisory Committee
5822 which shall advise the Department of [Public Health] Human Services
5823 on the issues set forth in subdivisions (1) to (12), inclusive, of
5824 subsection (b) of this section. The advisory committee shall meet at
5825 least semiannually.
- 5826 (2) Said committee shall create a standing subcommittee on best
5827 practices. The subcommittee shall (A) advise the department on
5828 effective methods for sharing with providers the quality improvement

5829 information learned from the department's review of reports and
5830 corrective action plans, including quality improvement practices,
5831 patient safety issues and preventative strategies, (B) not later than
5832 January 1, 2006, review and make recommendations concerning best
5833 practices with respect to when breast cancer screening should be
5834 conducted using comprehensive ultrasound screening or mammogram
5835 examinations, and (C) not later than January 1, 2008, study and make
5836 recommendations to the department concerning best practices with
5837 respect to communications between a patient's primary care provider
5838 and other providers involved in a patient's care, including hospitalists
5839 and specialists. The department shall, at least quarterly, disseminate
5840 information regarding quality improvement practices, patient safety
5841 issues and preventative strategies to the subcommittee and hospitals.

5842 (d) The advisory committee shall consist of (1) four members who
5843 represent and shall be appointed by the Connecticut Hospital
5844 Association, including three members who represent three separate
5845 hospitals that are not affiliated of which one such hospital is an
5846 academic medical center; (2) one member who represents and shall be
5847 appointed by the Connecticut Nursing Association; (3) two members
5848 who represent and shall be appointed by the Connecticut Medical
5849 Society, including one member who is an active medical care provider;
5850 (4) two members who represent and shall be appointed by the
5851 Connecticut Business and Industry Association, including one member
5852 who represents a large business and one member who represents a
5853 small business; (5) one member who represents and shall be appointed
5854 by the Home Health Care Association; (6) one member who represents
5855 and shall be appointed by the Connecticut Association of Health Care
5856 Facilities; (7) one member who represents and shall be appointed by
5857 the Connecticut Association of Not-For-Profit Providers for the Aging;
5858 (8) two members who represent and shall be appointed by the AFL-
5859 CIO; (9) one member who represents consumers of health care services
5860 and who shall be appointed by the Commissioner of [Public Health]
5861 Human Services; (10) one member who represents a school of public
5862 health and who shall be appointed by the Commissioner of [Public

5863 Health] Human Services; (11) the Commissioner of [Public Health]
5864 Human Services or said commissioner's designee; (12) [the
5865 Commissioner of Social Services or said commissioner's designee; (13)]
5866 the Secretary of the Office of Policy and Management or said
5867 secretary's designee; [(14)] (13) two members who represent licensed
5868 health plans and shall be appointed by the Connecticut Association of
5869 Health Care Plans; [(15)] (14) one member who represents and shall be
5870 appointed by the federally designated state peer review organization;
5871 and [(16)] (15) one member who represents and shall be appointed by
5872 the Connecticut Pharmaceutical Association. The chairperson of the
5873 advisory committee shall be the Commissioner of [Public Health]
5874 Human Services or said commissioner's designee. The chairperson of
5875 the committee, with a vote of the majority of the members present,
5876 may appoint ex-officio nonvoting members in specialties not
5877 represented among voting members. Vacancies shall be filled by the
5878 person who makes the appointment under this subsection.

5879 (e) The chairperson of the advisory committee may designate one or
5880 more working groups to address specific issues and shall appoint the
5881 members of each working group. Each working group shall report its
5882 findings and recommendations to the full advisory committee.

5883 (f) The Commissioner of [Public Health] Human Services shall
5884 report on the quality of care program on or before June 30, 2003, and
5885 annually thereafter, in accordance with section 11-4a, to the joint
5886 standing committee of the General Assembly having cognizance of
5887 matters relating to public health and to the Governor. Each report on
5888 said program shall include activities of the program during the prior
5889 year and a plan of activities for the following year.

5890 (g) On or before April 1, 2004, the Commissioner of [Public Health]
5891 Human Services shall prepare a report, available to the public, that
5892 compares all licensed hospitals in the state based on the quality
5893 performance measures developed under the quality of care program.

5894 (h) (1) The advisory committee shall examine and evaluate (A)

5895 possible approaches that would aid in the utilization of an existing
5896 data collection system for cardiac outcomes, and (B) the potential for
5897 state-wide use of a data collection system for cardiac outcomes, for the
5898 purpose of continuing the delivery of quality cardiac care services in
5899 the state.

5900 (2) On or before December 1, 2007, the advisory committee shall
5901 submit, in accordance with the provisions of section 11-4a, the results
5902 of the examination authorized by this subsection, along with any
5903 recommendations, to the Governor and the joint standing committee of
5904 the General Assembly having cognizance of matters relating to public
5905 health.

5906 (i) The Department of [Public Health] Human Services may seek out
5907 funding for the purpose of implementing the provisions of this section.
5908 Said provisions shall be implemented upon receipt of said funding.

5909 Sec. 206. Subsection (b) of section 19a-411 of the general statutes is
5910 repealed and the following is substituted in lieu thereof (*Effective*
5911 *October 1, 2010*):

5912 (b) The report of examinations conducted by the Chief Medical
5913 Examiner, Deputy Chief Medical Examiner, an associate medical
5914 examiner or an authorized assistant medical examiner, and of the
5915 autopsy and other scientific findings may be made available to the
5916 public only through the Office of the Chief Medical Examiner and in
5917 accordance with this section, section 1-210 and the regulations of the
5918 commission. Any person may obtain copies of such records upon such
5919 conditions and payment of such fees as may be prescribed by the
5920 commission, except that no person with a legitimate interest in the
5921 records shall be denied access to such records, and no person may be
5922 denied access to records concerning a person in the custody of the state
5923 at the time of death. As used in this section, a "person in the custody of
5924 the state" is a person committed to the custody of (1) the Commissioner
5925 of Correction for confinement in a correctional institution or facility or
5926 a community residence, or (2) the Commissioner of [Children and

5927 Families, or (3) the Commissioner of Developmental] Human Services.

5928 Sec. 207. Subsection (a) of section 19a-487 of the general statutes is
5929 repealed and the following is substituted in lieu thereof (*Effective*
5930 *October 1, 2010*):

5931 (a) There is established a board of directors to advise the
5932 Department of [Public Health] Human Services on the operations of
5933 the mobile field hospital. The board shall consist of the following
5934 members: The Commissioners of [Public Health] Human Services,
5935 Emergency Management and Homeland Security [,] and Public Safety,
5936 [and Social Services,] or their designees, the Secretary of the Office of
5937 Policy and Management, or the secretary's designee, the Adjutant
5938 General, or the Adjutant General's designee, one representative of a
5939 hospital in this state with more than five hundred licensed beds and
5940 one representative of a hospital in this state with five hundred or fewer
5941 licensed beds, both appointed by the Commissioner of [Public Health]
5942 Human Services. The Commissioner of [Public Health] Human
5943 Services shall be the chairperson of the board. The board shall adopt
5944 bylaws and shall meet at such times as specified in such bylaws and at
5945 such other times as the Commissioner of [Public Health] Human
5946 Services deems necessary.

5947 Sec. 208. Subsection (c) of section 19a-490h of the general statutes is
5948 repealed and the following is substituted in lieu thereof (*Effective*
5949 *October 1, 2010*):

5950 (c) The Department of [Mental Health and Addiction Services, after
5951 consultation with the Department of Public Health,] Human Services
5952 shall assist each hospital required to conduct alcohol and substance
5953 abuse screening pursuant to subsections (a) and (b) of this section with
5954 the development and implementation of alcohol and substance abuse
5955 screening protocols.

5956 Sec. 209. Subsection (b) of section 19a-495 of the general statutes is
5957 repealed and the following is substituted in lieu thereof (*Effective*
5958 *October 1, 2010*):

5959 (b) The Department of [Public Health, with the advice of the
5960 Department of Mental Health and Addiction Services,] Human
5961 Services shall include in the regulations adopted pursuant to
5962 subsection (a) of this section, additional standards for community
5963 residences, as defined in section 19a-507a, which shall include, but not
5964 be limited to, standards for: (1) Safety, maintenance and
5965 administration; (2) protection of human rights; (3) staffing
5966 requirements; (4) administration of medication; (5) program goals and
5967 objectives; (6) services to be offered; and (7) population to be served.

5968 Sec. 210. Section 19a-498 of the 2010 supplement to the general
5969 statutes is repealed and the following is substituted in lieu thereof
5970 (*Effective October 1, 2010*):

5971 (a) Subject to the provisions of section 19a-493, the Department of
5972 [Public Health] Human Services shall make or cause to be made a
5973 biennial licensure inspection of all institutions and such other
5974 inspections and investigations of institutions and examination of their
5975 records as the department deems necessary.

5976 (b) The commissioner, or an agent authorized by the commissioner
5977 to conduct any inquiry, investigation or hearing under the provisions
5978 of this chapter, shall have power to inspect the premises of an
5979 institution, administer oaths and take testimony under oath relative to
5980 the matter of inquiry or investigation. At any hearing ordered by the
5981 department, the commissioner or such agent may subpoena witnesses
5982 and require the production of records, papers and documents
5983 pertinent to such inquiry. If any person disobeys such subpoena or,
5984 having appeared in obedience thereto, refuses to answer any pertinent
5985 question put to such person by the commissioner or such agent or to
5986 produce any records and papers pursuant to the subpoena, the
5987 commissioner or such agent may apply to the superior court for the
5988 judicial district of Hartford or for the judicial district wherein the
5989 person resides or wherein the business has been conducted, setting
5990 forth such disobedience or refusal, and said court shall cite such
5991 person to appear before said court to answer such question or to

5992 produce such records and papers.

5993 (c) The Department of [Mental Health and Addiction] Human
5994 Services, with respect to any mental health facility or alcohol or drug
5995 treatment facility, shall be authorized [, either upon the request of the
5996 Commissioner of Public Health or at such other times as they deem
5997 necessary,] to enter such facility for the purpose of inspecting
5998 programs conducted at such facility. A written report of the findings of
5999 any such inspection shall be [forwarded to the Commissioner of Public
6000 Health and a copy shall be] maintained in such facility's licensure file.

6001 (d) In addition, when the Commissioner of [Social] Human Services
6002 deems it necessary, said commissioner, or a designated representative
6003 of said commissioner, may examine and audit the financial records of
6004 any nursing home facility, as defined in section 19a-521. Each such
6005 nursing home facility shall retain all financial information, data and
6006 records relating to the operation of the nursing home facility for a
6007 period of not less than ten years, and all financial information, data
6008 and records relating to any real estate transactions affecting such
6009 operation, for a period of not less than twenty-five years, which
6010 financial information, data and records shall be made available, upon
6011 request, to the Commissioner of [Social] Human Services or such
6012 designated representative at all reasonable times.

6013 Sec. 211. Section 19a-507c of the general statutes is repealed and the
6014 following is substituted in lieu thereof (*Effective October 1, 2010*):

6015 A community residence shall be evaluated twice a year by the
6016 Department of [Mental Health and Addiction Services. Evaluations by
6017 said department shall include a review of individual client records and
6018 shall be sent to the Department of Public Health upon its request]
6019 Human Services.

6020 Sec. 212. Subsection (a) of section 19a-523 of the general statutes is
6021 repealed and the following is substituted in lieu thereof (*Effective*
6022 *October 1, 2010*):

6023 (a) If, from the results of an inspection and investigation in
6024 accordance with section 19a-498, or upon receipt of a report or
6025 complaint, [from the Commissioner of Social Services,] pursuant to
6026 section 17b-408, and upon such review and further investigation, as the
6027 Commissioner of [Public Health] Human Services deems necessary,
6028 the Commissioner of [Public Health] Human Services determines that
6029 such nursing home facility has violated any provision of the Public
6030 Health Code relating to the operation or maintenance of a nursing
6031 home facility, the Commissioner of [Public Health] Human Services
6032 may, notwithstanding the provisions of chapter 54, request the
6033 Attorney General to seek a temporary or permanent injunction and
6034 such other relief as may be appropriate to enjoin such nursing home
6035 facility from continuing such violation or violations. If the court
6036 determines such violation or violations exist, it may grant such
6037 injunctive relief and such other relief as justice may require and may
6038 set a time period within which such nursing home facility shall comply
6039 with any such order.

6040 Sec. 213. Subsection (b) of section 19a-526 of the general statutes is
6041 repealed and the following is substituted in lieu thereof (*Effective*
6042 *October 1, 2010*):

6043 (b) Civil penalties imposed pursuant to this section shall be paid not
6044 later than fifteen days after the final date by which an appeal may be
6045 taken as provided in section 19a-529 or, if an appeal is taken, not later
6046 than fifteen days after the final judgment on such appeal. In the event
6047 such fines are not paid, the Commissioner of [Public Health shall
6048 notify the Commissioner of Social] Human Services [who] is
6049 authorized to immediately withhold from the nursing home's next
6050 medical assistance payment, an amount equal to the amount of the
6051 civil penalty.

6052 Sec. 214. Section 19a-531 of the general statutes is repealed and the
6053 following is substituted in lieu thereof (*Effective October 1, 2010*):

6054 Any employee of the Department of [Public Health or the

6055 Department of Social] Human Services or any regional ombudsman
6056 who gives or causes to be given any advance notice to any nursing
6057 home facility, directly or indirectly, that an investigation or inspection
6058 is under consideration or is impending or gives any information
6059 regarding any complaint submitted pursuant to section 17b-408, or
6060 19a-523 prior to an on-the-scene investigation or inspection of such
6061 facility, unless specifically mandated by federal or state regulations to
6062 give advance notice, shall be guilty of a class B misdemeanor and may
6063 be subject to dismissal, suspension or demotion in accordance with
6064 chapter 67.

6065 Sec. 215. Subsection (b) of section 19a-533 of the general statutes is
6066 repealed and the following is substituted in lieu thereof (*Effective*
6067 *October 1, 2010*):

6068 (b) A nursing home which receives payment from the state for
6069 rendering care to indigent persons shall:

6070 (1) Be prohibited from discriminating against indigent persons who
6071 apply for admission to such facility on the basis of source of payment.
6072 Except as otherwise provided by law, all applicants for admission to
6073 such facility shall be admitted in the order in which such applicants
6074 apply for admission. Each nursing home shall (A) provide a receipt to
6075 each applicant for admission to its facility who requests placement on
6076 a waiting list stating the date and time of such request, and (B)
6077 maintain a dated list of such applications which shall be available at all
6078 times to any applicant, his bona fide representative, authorized
6079 personnel from the [Departments of Public Health and Social Services]
6080 Department of Human Services and such other state agencies or other
6081 bodies established by state statute whose statutory duties necessitate
6082 access to such lists. If a nursing home desires to remove the name of an
6083 applicant who is unresponsive to facility telephone calls and letters
6084 from its waiting list, the nursing home may, no sooner than ninety
6085 days after initial placement of the person's name on the waiting list,
6086 inquire by letter to such applicant and any one person if designated by
6087 such applicant whether the applicant desires continuation of his name

6088 on the waiting list. If the applicant does not respond and an additional
6089 thirty days pass, the facility may remove such applicant's name from
6090 its waiting list. A nursing home may annually send a waiting list
6091 placement continuation letter to all persons on the waiting list for at
6092 least ninety days to inquire as to whether such person desires
6093 continuation of his name on the waiting list, provided such letter shall
6094 also be sent to any one person if designated by such applicant. If such
6095 person does not respond and at least thirty days pass, the facility may
6096 remove the person's name from its waiting list. Indigent persons shall
6097 be placed on any waiting list for admission to a facility and shall be
6098 admitted to the facility as vacancies become available, in the same
6099 manner as self-pay applicants, except as provided in subsections (f)
6100 and (g) of this section;

6101 (2) Post in a conspicuous place a notice informing applicants for
6102 admission that the facility is prohibited by statute from discriminating
6103 against indigent applicants for admission on the basis of source of
6104 payment. Such notice shall advise applicants for admission of the
6105 remedies available under this section and shall list the name, address
6106 and telephone number of the ombudsman who serves the region in
6107 which the facility is located;

6108 (3) Be prohibited from requiring that an indigent person pay any
6109 sum of money or furnish any other consideration, including but not
6110 limited to the furnishing of an agreement by the relative, conservator
6111 or other responsible party of an indigent person which obligates such
6112 party to pay for care rendered to an indigent person as a condition for
6113 admission of such indigent person;

6114 (4) Record in the patient roster, maintained pursuant to the Public
6115 Health Code, or in a separate roster maintained for this purpose, the
6116 number of patients who are Medicare, Medicaid and private pay
6117 patients on each day. Such numbers shall be recorded daily and made
6118 available, upon request, to the state or regional ombudsman.

6119 Sec. 216. Subsection (a) of section 19a-542 of the general statutes is

6120 repealed and the following is substituted in lieu thereof (*Effective*
6121 *October 1, 2010*):

6122 (a) An application to appoint a receiver for a nursing home facility
6123 may be filed in the Superior Court by the Commissioner of [Social]
6124 Human Services [, the Commissioner of Public Health] or the director
6125 of the Office of Protection and Advocacy for Persons with Disabilities.
6126 A resident of a facility or such resident's legally liable relative,
6127 conservator or guardian may file a written complaint with the
6128 Commissioner of [Public Health] Human Services specifying
6129 conditions at the facility which warrant an application to appoint a
6130 receiver. If the Commissioner of [Public Health] Human Services fails
6131 to resolve such complaint within forty-five days of its receipt or, in the
6132 case of a facility which intends to close, within seven days of its
6133 receipt, the person who filed the complaint may file an application in
6134 the Superior Court for the appointment of a receiver for such facility.
6135 Said court shall immediately notify the Attorney General of such
6136 application. The court shall hold a hearing not later than ten days after
6137 the date the application is filed. Notice of such hearing shall be given
6138 to the owner of such facility or such owner's agent for service of
6139 process not less than five days prior to such hearing. Such notice shall
6140 be posted by the court in a conspicuous place inside such facility for
6141 not less than three days prior to such hearing.

6142 Sec. 217. Subsection (a) of section 19a-547 of the general statutes is
6143 repealed and the following is substituted in lieu thereof (*Effective*
6144 *October 1, 2010*):

6145 (a) The court may appoint any responsible individual whose name
6146 is proposed by the Commissioner of [Public Health and the
6147 Commissioner of Social] Human Services to act as a receiver. Such
6148 individual shall be a nursing home administrator licensed in the state
6149 of Connecticut with substantial experience in operating Connecticut
6150 nursing homes. On or before July 1, 2004, the Commissioner of [Social]
6151 Human Services shall adopt regulations governing qualifications for
6152 proposed receivers consistent with this subsection. No state employee

6153 or owner, administrator or other person with a financial interest in the
6154 facility may serve as a receiver for that facility. No person appointed to
6155 act as a receiver shall be permitted to have a current financial interest
6156 in the facility; nor shall such person appointed as a receiver be
6157 permitted to have a financial interest in the facility for a period of five
6158 years from the date the receivership ceases.

6159 Sec. 218. Subsection (b) of section 19a-550 of the 2010 supplement to
6160 the general statutes is repealed and the following is substituted in lieu
6161 thereof (*Effective October 1, 2010*):

6162 (b) There is established a patients' bill of rights for any person
6163 admitted as a patient to any nursing home facility or chronic disease
6164 hospital. The patients' bill of rights shall be implemented in accordance
6165 with the provisions of Sections 1919(b), 1919(c), 1919(c)(2),
6166 1919(c)(2)(D) and 1919(c)(2)(E) of the Social Security Act. The patients'
6167 bill of rights shall provide that each such patient: (1) Is fully informed,
6168 as evidenced by the patient's written acknowledgment, prior to or at
6169 the time of admission and during the patient's stay, of the rights set
6170 forth in this section and of all rules and regulations governing patient
6171 conduct and responsibilities; (2) is fully informed, prior to or at the
6172 time of admission and during the patient's stay, of services available in
6173 the facility, and of related charges including any charges for services
6174 not covered under Titles XVIII or XIX of the Social Security Act, or not
6175 covered by basic per diem rate; (3) is entitled to choose the patient's
6176 own physician and is fully informed, by a physician, of the patient's
6177 medical condition unless medically contraindicated, as documented by
6178 the physician in the patient's medical record, and is afforded the
6179 opportunity to participate in the planning of the patient's medical
6180 treatment and to refuse to participate in experimental research; (4) in a
6181 residential care home or a chronic disease hospital is transferred from
6182 one room to another within the facility only for medical reasons, or for
6183 the patient's welfare or that of other patients, as documented in the
6184 patient's medical record and such record shall include documentation
6185 of action taken to minimize any disruptive effects of such transfer,
6186 except a patient who is a Medicaid recipient may be transferred from a

6187 private room to a nonprivate room, provided no patient may be
6188 involuntarily transferred from one room to another within the facility
6189 if (A) it is medically established that the move will subject the patient
6190 to a reasonable likelihood of serious physical injury or harm, or (B) the
6191 patient has a prior established medical history of psychiatric problems
6192 and there is psychiatric testimony that as a consequence of the
6193 proposed move there will be exacerbation of the psychiatric problem
6194 which would last over a significant period of time and require
6195 psychiatric intervention; and in the case of an involuntary transfer
6196 from one room to another within the facility, the patient and, if known,
6197 the patient's legally liable relative, guardian or conservator or a person
6198 designated by the patient in accordance with section 1-56r, is given at
6199 least thirty days' and no more than sixty days' written notice to ensure
6200 orderly transfer from one room to another within the facility, except
6201 where the health, safety or welfare of other patients is endangered or
6202 where immediate transfer from one room to another within the facility
6203 is necessitated by urgent medical need of the patient or where a patient
6204 has resided in the facility for less than thirty days, in which case notice
6205 shall be given as many days before the transfer as practicable; (5) is
6206 encouraged and assisted, throughout the patient's period of stay, to
6207 exercise the patient's rights as a patient and as a citizen, and to this
6208 end, has the right to be fully informed about patients' rights by state or
6209 federally funded patient advocacy programs, and may voice
6210 grievances and recommend changes in policies and services to facility
6211 staff or to outside representatives of the patient's choice, free from
6212 restraint, interference, coercion, discrimination or reprisal; (6) shall
6213 have prompt efforts made by the facility to resolve grievances the
6214 patient may have, including those with respect to the behavior of other
6215 patients; (7) may manage the patient's personal financial affairs, and is
6216 given a quarterly accounting of financial transactions made on the
6217 patient's behalf; (8) is free from mental and physical abuse, corporal
6218 punishment, involuntary seclusion and any physical or chemical
6219 restraints imposed for purposes of discipline or convenience and not
6220 required to treat the patient's medical symptoms. Physical or chemical
6221 restraints may be imposed only to ensure the physical safety of the

6222 patient or other patients and only upon the written order of a
6223 physician that specifies the type of restraint and the duration and
6224 circumstances under which the restraints are to be used, except in
6225 emergencies until a specific order can be obtained; (9) is assured
6226 confidential treatment of the patient's personal and medical records,
6227 and may approve or refuse their release to any individual outside the
6228 facility, except in case of the patient's transfer to another health care
6229 institution or as required by law or third-party payment contract; (10)
6230 receives quality care and services with reasonable accommodation of
6231 individual needs and preferences, except where the health or safety of
6232 the individual would be endangered, and is treated with
6233 consideration, respect, and full recognition of the patient's dignity and
6234 individuality, including privacy in treatment and in care for the
6235 patient's personal needs; (11) is not required to perform services for the
6236 facility that are not included for therapeutic purposes in the patient's
6237 plan of care; (12) may associate and communicate privately with
6238 persons of the patient's choice, including other patients, send and
6239 receive the patient's personal mail unopened and make and receive
6240 telephone calls privately, unless medically contraindicated, as
6241 documented by the patient's physician in the patient's medical record,
6242 and receives adequate notice before the patient's room or roommate in
6243 the facility is changed; (13) is entitled to organize and participate in
6244 patient groups in the facility and to participate in social, religious and
6245 community activities that do not interfere with the rights of other
6246 patients, unless medically contraindicated, as documented by the
6247 patient's physician in the patient's medical records; (14) may retain and
6248 use the patient's personal clothing and possessions unless to do so
6249 would infringe upon rights of other patients or unless medically
6250 contraindicated, as documented by the patient's physician in the
6251 patient's medical record; (15) is assured privacy for visits by the
6252 patient's spouse or a person designated by the patient in accordance
6253 with section 1-56r and, if the patient is married and both the patient
6254 and the patient's spouse are inpatients in the facility, they are
6255 permitted to share a room, unless medically contraindicated, as
6256 documented by the attending physician in the medical record; (16) is

6257 fully informed of the availability of and may examine all current state,
6258 local and federal inspection reports and plans of correction; (17) may
6259 organize, maintain and participate in a patient-run resident council, as
6260 a means of fostering communication among residents and between
6261 residents and staff, encouraging resident independence and
6262 addressing the basic rights of nursing home and chronic disease
6263 hospital patients and residents, free from administrative interference
6264 or reprisal; (18) is entitled to the opinion of two physicians concerning
6265 the need for surgery, except in an emergency situation, prior to such
6266 surgery being performed; (19) is entitled to have the patient's family or
6267 a person designated by the patient in accordance with section 1-56r
6268 meet in the facility with the families of other patients in the facility to
6269 the extent the facility has existing meeting space available which meets
6270 applicable building and fire codes; (20) is entitled to file a complaint
6271 with the Department of [Social Services and the Department of Public
6272 Health] Human Services regarding patient abuse, neglect or
6273 misappropriation of patient property; (21) is entitled to have
6274 psychopharmacologic drugs administered only on orders of a
6275 physician and only as part of a written plan of care developed in
6276 accordance with Section 1919(b)(2) of the Social Security Act and
6277 designed to eliminate or modify the symptoms for which the drugs are
6278 prescribed and only if, at least annually, an independent external
6279 consultant reviews the appropriateness of the drug plan; (22) is
6280 entitled to be transferred or discharged from the facility only pursuant
6281 to section 19a-535 or section 19a-535b, as applicable; (23) is entitled to
6282 be treated equally with other patients with regard to transfer,
6283 discharge and the provision of all services regardless of the source of
6284 payment; (24) shall not be required to waive any rights to benefits
6285 under Medicare or Medicaid or to give oral or written assurance that
6286 the patient is not eligible for, or will not apply for benefits under
6287 Medicare or Medicaid; (25) is entitled to be provided information by
6288 the facility as to how to apply for Medicare or Medicaid benefits and
6289 how to receive refunds for previous payments covered by such
6290 benefits; (26) on or after October 1, 1990, shall not be required to give a
6291 third-party guarantee of payment to the facility as a condition of

admission to, or continued stay in, the facility; (27) is entitled to have the facility not charge, solicit, accept or receive any gift, money, donation, third-party guarantee or other consideration as a precondition of admission or expediting the admission of the individual to the facility or as a requirement for the individual's continued stay in the facility; and (28) shall not be required to deposit the patient's personal funds in the facility.

Sec. 219. Section 19a-551 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

Each nursing home facility shall: (1) On or before the admission of each patient provide such patient or such patient's legally liable relative, guardian or conservator with a written statement explaining such patient's rights regarding the patient's personal funds and listing the charges which may be deducted from such funds. Such statement shall explain that the nursing home facility shall on and after October 1, 1992, pay interest at a rate not less than four per cent per annum and on and after October 1, 1994, pay interest at a rate not less than five and one-half per cent per annum on any security deposit or other advance payment required of such patient prior to admission to the nursing home. In the case of patients receiving benefits under Title XVIII or XIX of the federal Social Security Act the statement shall include a list of charges not covered by said titles and not covered by the basic per diem rate provided by said titles. Upon delivery of such statement the person in charge of the nursing home facility shall obtain a signed receipt acknowledging such delivery; (2) upon written consent or request of the patient or the patient's legally liable relative, guardian or conservator, manage such patient's personal funds, provided such consent by a patient shall not be effective unless cosigned by the patient's legally liable relative or guardian if such patient has been determined by a physician to be mentally incapable of understanding and no conservator has been appointed. As manager of such personal funds the nursing home facility shall: (A) Either maintain separate accounts for each patient or maintain an aggregate trust account for patients' funds to prevent commingling the personal

6326 funds of patients with the funds of the facility. The facility shall notify
6327 in writing each patient receiving Medicaid assistance or such patient's
6328 legally liable relative, guardian or conservator when the amount in the
6329 patient's account reaches two hundred dollars less than the dollar
6330 amount determined under the Medicaid program as the maximum for
6331 eligibility under the program and advise the patient or such patient's
6332 legally liable relative, guardian or conservator that if the amount in the
6333 account plus the value of the patient's other nonexempt resources
6334 reaches the maximum the patient may lose his or her Medicaid
6335 eligibility; (B) obtain signed receipts for each expenditure from each
6336 patient's personal funds; (C) maintain an individual itemized record of
6337 income and expenditures for each patient, including quarterly
6338 accountings; and (D) permit the patient or the patient's legally liable
6339 relative, guardian or conservator, and the regional long-term care
6340 ombudsman, and representatives from the [Departments of Social
6341 Services and Public Health] Department of Human Services, access to
6342 such record; and (3) (A) refund any overpayment or deposit from a
6343 former patient or such patient's legally liable relative, guardian or
6344 conservator within thirty days of the patient's discharge; and (B)
6345 refund any deposit from an individual planning to be admitted to the
6346 facility within thirty days of receipt of written notification that the
6347 individual is no longer planning to be admitted. A refund issued after
6348 thirty days shall include interest at a rate of ten per cent per annum.
6349 For the purposes of this section "deposit" shall include liquidated
6350 damages under any contract for pending admission.

6351 Sec. 220. Section 19a-617b of the general statutes is repealed and the
6352 following is substituted in lieu thereof (*Effective October 1, 2010*):

6353 (a) For purposes of this section:

6354 (1) "Chronic disease hospital" means a nonprofit facility licensed as
6355 a chronic disease hospital by the Department of [Public Health]
6356 Human Services on or before January 1, 2003; and

6357 (2) "Satellite facility" means a long-term acute care facility operated

6358 as part of a long-term acute care hospital under the provisions of Title
6359 XVIII of the Social Security Act.

6360 (b) The Office of Health Care Access, in consultation with the
6361 [Departments of Public Health and Social Services] Department of
6362 Human Services, may authorize up to four demonstration projects
6363 allowing chronic disease hospitals to establish and operate new long-
6364 term acute care hospitals or satellite facilities. The purpose of such
6365 demonstration projects is to study the quality of service, patient
6366 outcomes and cost-effectiveness resulting from the use of such
6367 hospitals or facilities. Such hospitals or facilities operated pursuant to
6368 such demonstration projects shall serve patients who require long-
6369 term hospitalization in an acute care setting, need twenty-four-hour
6370 on-site physician availability and are not suitable for placement in a
6371 skilled nursing facility. New long-term acute care hospitals and
6372 satellite facilities may be eligible for operation as such projects if they
6373 are (1) located within a licensed short-term acute care general or
6374 children's hospital, (2) under the common ownership and control of a
6375 chronic disease hospital, and (3) currently are, or become certified for,
6376 Medicare participation as a long-term acute care hospital under Title
6377 XVIII of the Social Security Act.

6378 (c) In connection with the demonstration projects authorized under
6379 this section, the Commissioner of [Public Health] Human Services
6380 may, in the commissioner's discretion, waive licensure and other
6381 regulatory requirements otherwise applicable to chronic disease
6382 hospitals for new long-term acute care hospitals or satellite facilities. It
6383 shall not be necessary for the Department of [Public Health] Human
6384 Services to adopt or amend regulations for purposes of the
6385 demonstration projects authorized by this section.

6386 (d) Not later than January 1, 2005, a chronic disease hospital may
6387 apply to the office for a certificate of need to conduct a demonstration
6388 project. Each demonstration project authorized by the office pursuant
6389 to this section shall collect and report on data concerning the
6390 demonstration project's impact on the quality of service and patient

6391 outcomes and cost-effectiveness. Such data shall be reported in the
6392 manner prescribed by said commissioner, and shall include (1) length
6393 of stay, (2) number of intensive care days per patient, (3) cost of stay,
6394 (4) type of discharge, and (5) any other data requested by the
6395 Commissioner of Health Care Access.

6396 (e) Not later than January 1, 2007, the Office of Health Care Access,
6397 in consultation with the [Departments of Public Health and Social
6398 Services] Department of Human Services, shall report, in accordance
6399 with section 11-4a, to the joint standing committees of the General
6400 Assembly having cognizance of matters relating to public health and
6401 human services concerning findings and recommendations regarding
6402 the demonstration projects authorized pursuant to this section.

6403 Sec. 221. Subdivision (1) of subsection (b) of section 19a-639 of the
6404 2010 supplement to the general statutes is repealed and the following
6405 is substituted in lieu thereof (*Effective October 1, 2010*):

6406 (b) (1) [The commissioner, or the commissioner's designee, shall
6407 notify the Commissioner of Social Services of any certificate of need
6408 request that may impact expenditures under the state medical
6409 assistance program.] The office shall consider [such] a certificate of
6410 need request in relation to the community or regional need for such
6411 capital program or purchase of land, the possible effect on the
6412 operating costs of the health care facility or institution and such other
6413 relevant factors as the office deems necessary. In approving or
6414 modifying such request, the commissioner, or the commissioner's
6415 designee, may not prescribe any condition, such as but not limited to,
6416 any condition or limitation on the indebtedness of the facility or
6417 institution in connection with a bond issue, the principal amount of
6418 any bond issue or any other details or particulars related to the
6419 financing of such capital expenditure, not directly related to the scope
6420 of such capital program and within control of the facility or institution.

6421 Sec. 222. Section 19a-902 of the 2010 supplement to the general
6422 statutes is repealed and the following is substituted in lieu thereof

6423 (Effective October 1, 2010):

6424 On or before January 1, 2011, the Department of [Public Health, in
6425 consultation with the Department of Mental Health and Addiction
6426 Services,] Human Services shall amend the department's substance
6427 abuse treatment regulations and shall implement a dual licensure
6428 program for behavioral health care providers who provide both
6429 mental health services and substance abuse services.

6430 Sec. 223. Section 20-14i of the 2010 supplement to the general
6431 statutes is repealed and the following is substituted in lieu thereof
6432 (Effective October 1, 2010):

6433 Any provisions to the contrary notwithstanding, chapter 378 shall
6434 not prohibit the administration of medication to persons (1) attending
6435 day programs, residing in residential facilities or receiving individual
6436 and family support, under the jurisdiction of the Departments of
6437 [Children and Families,] Human Services and Correction,
6438 [Developmental Services and Mental Health and Addiction Services,]
6439 (2) being detained in juvenile detention centers or residing in
6440 residential facilities dually licensed by the Department of [Children
6441 and Families and the Department of Public Health] Human Services,
6442 or (3) residing in substance abuse treatment facilities licensed by the
6443 Department of [Children and Families] Human Services pursuant to
6444 section 17a-145 when such medication is administered by trained
6445 persons, pursuant to the written order of a physician licensed under
6446 this chapter, a dentist licensed under chapter 379, an advanced practice
6447 registered nurse licensed to prescribe in accordance with section 20-94a
6448 or a physician assistant licensed to prescribe in accordance with section
6449 20-12d, authorized to prescribe such medication. The provisions of this
6450 section shall not apply to institutions, facilities or programs licensed
6451 pursuant to chapter 368v.

6452 Sec. 224. Subsection (a) of section 20-14j of the general statutes is
6453 repealed and the following is substituted in lieu thereof (Effective
6454 October 1, 2010):

6455 (a) The commissioners of the departments which license the
6456 residential facilities, day programs or individual and family support
6457 services in which the administration of medication in accordance with
6458 section 20-14i is appropriate shall adopt regulations, in accordance
6459 with the provisions of chapter 54, to carry out the provisions of
6460 sections 20-14h and 20-14i. If licensing is not required, the regulations
6461 shall be adopted by the commissioners of the departments having
6462 authority over the persons served in such facilities or programs, or
6463 receiving individual and family support. Such regulations shall be
6464 adopted by each affected department in consultation with an advisory
6465 task force which shall include the Commissioner of [Public Health, the
6466 Commissioner of Mental Health and Addiction Services, the
6467 Commissioner of Developmental Services,] Human Services and the
6468 Commissioner of Correction, [and the Commissioner of Children and
6469 Families,] or their designees. The task force shall submit a report to the
6470 joint standing committee of the General Assembly having cognizance
6471 of matters relating to public health by November 1, 1988.

6472 Sec. 225. Section 20-74s of the 2010 supplement to the general
6473 statutes is repealed and the following is substituted in lieu thereof
6474 (*Effective October 1, 2010*):

6475 (a) For purposes of this section and subdivision (18) of subsection (c)
6476 of section 19a-14:

6477 (1) "Commissioner" means the Commissioner of [Public Health]
6478 Human Services;

6479 (2) "Licensed alcohol and drug counselor" means a person licensed
6480 under the provisions of this section;

6481 (3) "Certified alcohol and drug counselor" means a person certified
6482 under the provisions of this section;

6483 (4) "Practice of alcohol and drug counseling" means the professional
6484 application of methods that assist an individual or group to develop an
6485 understanding of alcohol and drug dependency problems, define

6486 goals, and plan action reflecting the individual's or group's interest,
6487 abilities and needs as affected by alcohol and drug dependency
6488 problems;

6489 (5) "Private practice of alcohol and drug counseling" means the
6490 independent practice of alcohol and drug counseling by a licensed or
6491 certified alcohol and drug counselor who is self-employed on a full-
6492 time or part-time basis and who is responsible for that independent
6493 practice;

6494 (6) "Self-help group" means a voluntary group of persons who offer
6495 peer support to each other in recovering from an addiction; and

6496 (7) "Supervision" means the regular on-site observation of the
6497 functions and activities of an alcohol and drug counselor in the
6498 performance of his or her duties and responsibilities to include a
6499 review of the records, reports, treatment plans or recommendations
6500 with respect to an individual or group.

6501 (b) Except as provided in subsections [(s) to (x)] (r) to (w), inclusive,
6502 of this section, no person shall engage in the practice of alcohol and
6503 drug counseling unless licensed as a licensed alcohol and drug
6504 counselor pursuant to subsection (d) of this section or certified as a
6505 certified alcohol and drug counselor pursuant to subsection (e) of this
6506 section.

6507 (c) Except as provided in subsections [(s) to (x)] (r) to (w), inclusive,
6508 of this section, no person shall engage in the private practice of alcohol
6509 and drug counseling unless (1) licensed as a licensed alcohol and drug
6510 counselor pursuant to subsection (d) of this section, or (2) certified as a
6511 certified alcohol and drug counselor pursuant to subsection (e) of this
6512 section and practicing under the supervision of a licensed alcohol and
6513 drug counselor.

6514 (d) To be eligible for licensure as a licensed alcohol and drug
6515 counselor, an applicant shall (1) have attained a master's degree from
6516 an accredited institution of higher education with a minimum of

6517 eighteen graduate semester hours in counseling or counseling-related
6518 subjects, except that applicants holding certified clinical supervisor
6519 status by the Connecticut Certification Board, Inc. as of October 1,
6520 1998, may substitute such certification in lieu of the master's degree
6521 requirement, and (2) be certified or have met all the requirements for
6522 certification as a certified alcohol and drug counselor.

6523 (e) To be eligible for certification by the Department of [Public
6524 Health] Human Services as a certified alcohol and drug counselor, an
6525 applicant shall have (1) completed three hundred hours of supervised
6526 practical training in alcohol and drug counseling that the
6527 commissioner deems acceptable; (2) completed three years of
6528 supervised paid work experience or unpaid internship that the
6529 commissioner deems acceptable that entailed working directly with
6530 alcohol and drug clients, except that a master's degree may be
6531 substituted for one year of such experience; (3) completed three
6532 hundred sixty hours of commissioner-approved education, at least two
6533 hundred forty hours of which relates to the knowledge and skill base
6534 associated with the practice of alcohol and drug counseling; and (4)
6535 successfully completed a department prescribed examination.

6536 [(f) For individuals applying for certification as an alcohol and drug
6537 counselor by the Department of Public Health prior to October 1, 1998,
6538 current certification by the Department of Mental Health and
6539 Addiction Services may be substituted for the certification
6540 requirements of subsection (e) of this section.]

6541 [(g)] (f) The commissioner shall grant a license as an alcohol and
6542 drug counselor to any applicant who furnishes satisfactory evidence
6543 that he has met the requirements of [subsections] subsection (d) or [(o)]
6544 (n) of this section. The commissioner shall develop and provide
6545 application forms. The application fee shall be one hundred ninety
6546 dollars.

6547 [(h)] (g) A license as an alcohol and drug counselor shall be renewed
6548 in accordance with the provisions of section 19a-88 for a fee of one

6549 hundred ninety dollars.

6550 [(i)] (h) The commissioner shall grant certification as a certified
6551 alcohol and drug counselor to any applicant who furnishes satisfactory
6552 evidence that he has met the requirements of [subsections] subsection
6553 (e) or [(o)] (n) of this section. The commissioner shall develop and
6554 provide application forms. The application fee shall be one hundred
6555 ninety dollars.

6556 [(j)] (i) A certificate as an alcohol and drug counselor may be
6557 renewed in accordance with the provisions of section 19a-88 for a fee
6558 of one hundred ninety dollars.

6559 [(k)] (j) The commissioner may contract with a qualified private
6560 organization for services that include (1) providing verification that
6561 applicants for licensure or certification have met the education,
6562 training and work experience requirements under this section; and (2)
6563 any other services that the commissioner may deem necessary.

6564 [(l)] (k) Any person who has attained a master's level degree and is
6565 certified by the Connecticut Certification Board as a substance abuse
6566 counselor on or before July 1, 2000, shall be deemed a licensed alcohol
6567 and drug counselor. Any person so deemed shall renew his license
6568 pursuant to section 19a-88 for a fee of one hundred ninety dollars.

6569 [(m)] (l) Any person who has not attained a master's level degree
6570 and is certified by the Connecticut Certification Board as a substance
6571 abuse counselor on or before July 1, 2000, shall be deemed a certified
6572 alcohol and drug counselor. Any person so deemed shall renew his
6573 certification pursuant to section 19a-88 for a fee of one hundred ninety
6574 dollars.

6575 [(n)] (m) Any person who is not certified by the Connecticut
6576 Certification Board as a substance abuse counselor on or before July 1,
6577 2000, who (1) documents to the department that he has a minimum of
6578 five years full-time or eight years part-time paid work experience,
6579 under supervision, as an alcohol and drug counselor, and (2)

6580 successfully passes a commissioner-approved examination no later
6581 than July 1, 2000, shall be deemed a certified alcohol and drug
6582 counselor. Any person so deemed shall renew his certification
6583 pursuant to section 19a-88 for a fee of one hundred ninety dollars.

6584 [(o)] (n) The commissioner may license or certify without
6585 examination any applicant who, at the time of application, is licensed
6586 or certified by a governmental agency or private organization located
6587 in another state, territory or jurisdiction whose standards, in the
6588 opinion of the commissioner, are substantially similar to, or higher
6589 than, those of this state.

6590 [(p)] (o) No person shall assume, represent himself as, or use the
6591 title or designation "alcoholism counselor", "alcohol counselor",
6592 "alcohol and drug counselor", "alcoholism and drug counselor",
6593 "licensed clinical alcohol and drug counselor", "licensed alcohol and
6594 drug counselor", "licensed associate alcohol and drug counselor",
6595 "certified alcohol and drug counselor", "chemical dependency
6596 counselor", "chemical dependency supervisor" or any of the
6597 abbreviations for such titles, unless licensed or certified under
6598 subsections [(g) to (n)] (f) to (m), inclusive, of this section and unless
6599 the title or designation corresponds to the license or certification held.

6600 [(q)] (p) The commissioner shall adopt regulations, in accordance
6601 with chapter 54, to implement provisions of this section.

6602 [(r)] (q) The commissioner may suspend, revoke or refuse to issue a
6603 license in circumstances that have endangered or are likely to
6604 endanger the health, welfare or safety of the public.

6605 [(s)] (r) Nothing in this section shall be construed to apply to the
6606 activities and services of a rabbi, priest, minister, Christian Science
6607 practitioner or clergyman of any religious denomination or sect, when
6608 engaging in activities that are within the scope of the performance of
6609 the person's regular or specialized ministerial duties and for which no
6610 separate charge is made, or when these activities are performed, with
6611 or without charge, for or under the auspices or sponsorship,

6612 individually or in conjunction with others, of an established and
6613 legally cognizable church, denomination or sect, and when the person
6614 rendering services remains accountable to the established authority
6615 thereof.

6616 [(t)] (s) Nothing in this section shall be construed to apply to the
6617 activities and services of a person licensed in this state to practice
6618 medicine and surgery, psychology, marital and family therapy, clinical
6619 social work, professional counseling, advanced practice registered
6620 nursing or registered nursing, when such person is acting within the
6621 scope of the person's license and doing work of a nature consistent
6622 with that person's license, provided the person does not hold himself
6623 or herself out to the public as possessing a license or certification
6624 issued pursuant to this section.

6625 [(u)] (t) Nothing in this section shall be construed to apply to the
6626 activities and services of a student intern or trainee in alcohol and drug
6627 counseling who is pursuing a course of study in an accredited
6628 institution of higher education or training course, provided these
6629 activities are performed under supervision and constitute a part of an
6630 accredited course of study, and provided further the person is
6631 designated as an intern or trainee or other such title indicating the
6632 training status appropriate to his level of training.

6633 [(v)] (u) Nothing in this section shall be construed to apply to any
6634 alcohol and drug counselor or substance abuse counselor employed by
6635 the state, except that this section shall apply to alcohol and drug
6636 counselors employed by the Department of Correction pursuant to
6637 subsection [(x)] (w) of this section.

6638 [(w)] (v) Nothing in this section shall be construed to apply to the
6639 activities and services of paid alcohol and drug counselors who are
6640 working under supervision or uncompensated alcohol and drug abuse
6641 self-help groups, including, but not limited to, Alcoholics Anonymous
6642 and Narcotics Anonymous.

6643 [(x)] (w) The provisions of this section shall apply to employees of

6644 the Department of Correction, other than trainees or student interns
6645 covered under subsection (u) of this section and persons completing
6646 supervised paid work experience in order to satisfy mandated clinical
6647 supervision requirements for certification under subsection (e) of this
6648 section, as follows: (1) Any person hired by the Department of
6649 Correction on or after October 1, 2002, for a position as a substance
6650 abuse counselor or supervisor of substance abuse counselors shall be a
6651 licensed or certified alcohol and drug counselor; (2) any person
6652 employed by the Department of Correction prior to October 1, 2002, as
6653 a substance abuse counselor or supervisor of substance abuse
6654 counselors shall become licensed or certified as an alcohol and drug
6655 counselor by October 1, 2007; and (3) any person employed by the
6656 Department of Correction on or after October 1, 2007, as a substance
6657 abuse counselor or supervisor of substance abuse counselors shall be a
6658 licensed or certified alcohol and drug counselor.

6659 Sec. 226. Section 20-138c of the general statutes is repealed and the
6660 following is substituted in lieu thereof (*Effective October 1, 2010*):

6661 Wherever a committee, council or other body is appointed to serve
6662 in an advisory capacity in matters pertaining to vision for the
6663 Department of [Public Health] Human Services, the State Board of
6664 Education [,] or the Department of Motor Vehicles, [or the Department
6665 of Social Services,] the appointing authority shall include, as a member
6666 of such committee, council or body, a person licensed under the
6667 provisions of this chapter.

6668 Sec. 227. Subdivision (2) of section 20-571 of the general statutes is
6669 repealed and the following is substituted in lieu thereof (*Effective*
6670 *October 1, 2010*):

6671 (2) "Care-giving institution" means an institution that provides
6672 medical services and is licensed, operated, certified or approved by the
6673 Commissioner of [Public Health, the Commissioner of Developmental
6674 Services or the Commissioner of Mental Health and Addiction]
6675 Human Services;

6676 Sec. 228. Subdivision (24) of section 21a-240 of the 2010 supplement
6677 to the general statutes is repealed and the following is substituted in
6678 lieu thereof (*Effective October 1, 2010*):

6679 (24) "Hospital", as used in sections 21a-243 to 21a-283, inclusive,
6680 means an institution for the care and treatment of the sick and injured,
6681 approved by the Department of [Public Health or the Department of
6682 Mental Health and Addiction Services] Human Services as proper to
6683 be entrusted with the custody of controlled drugs and substances and
6684 professional use of controlled drugs and substances under the
6685 direction of a licensed practitioner;

6686 Sec. 229. Section 22-456 of the general statutes is repealed and the
6687 following is substituted in lieu thereof (*Effective October 1, 2010*):

6688 (a) There is established the Connecticut Food Policy Council which
6689 shall be within the Department of Agriculture.

6690 (b) The council shall consist of the following members: (1) One
6691 appointed by the majority leader of the Senate who shall be involved
6692 in agriculture or in an agriculture organization; (2) one appointed by
6693 the president pro tempore of the Senate who shall be involved in an
6694 antihunger organization; (3) one appointed by the minority leader of
6695 the Senate, who shall represent the Cooperative Extension Service; (4)
6696 one appointed by the minority leader of the House of Representatives
6697 who shall be a food retailer; (5) one appointed by the speaker of the
6698 House of Representatives who shall be involved in agriculture or in an
6699 agriculture organization; (6) one appointed by the majority leader of
6700 the House of Representatives who shall be a produce wholesaler; (7)
6701 the Commissioner of Agriculture, or [his] the commissioner's designee;
6702 (8) the Commissioner of Administrative Services, or [his] the
6703 commissioner's designee; (9) the Commissioner of Education, or [his]
6704 the commissioner's designee; (10) the Commissioner of Transportation,
6705 or [his] the commissioner's designee; (11) the Commissioner of [Public
6706 Health, or his designee; (12) the Commissioner of Social Services, or
6707 his] Human Services, or the commissioner's designee; [(13)] (12) the

6708 head of each state department, as defined in section 4-5, who is not one
6709 of the commissioners designated in subdivisions (7) to (12), inclusive,
6710 of this subsection who shall be members ex officio without the right to
6711 vote; and ~~[(14)]~~ (13) the chairman of the joint standing committee of the
6712 General Assembly having cognizance of matters relating to the
6713 environment who shall be a member ex officio without the right to
6714 vote. The council shall elect a chairperson and a vice-chairperson from
6715 among its members. Any person absent from (A) three consecutive
6716 meetings of the commission; or (B) fifty per cent of such meetings
6717 during any calendar year shall be deemed to have resigned from the
6718 council, effective immediately. Vacancies on the council shall be filled
6719 by the appointing authority. Members of the council serve without
6720 compensation but shall, within the limits of available funds, be
6721 reimbursed for expenses necessarily incurred in the performance of
6722 their duties. The council shall meet as often as deemed necessary by
6723 the chairperson or a majority of the council.

6724 (c) The council shall: (1) Develop, coordinate and implement a food
6725 system policy linking local economic development, environmental
6726 protection and preservation with farming and urban issues; (2) review
6727 and comment on any proposed state legislation and regulations that
6728 would affect the food policy system of the state; (3) advise and provide
6729 information to the Governor on the state's food policy; and (4) prepare
6730 and submit to the joint standing committee of the General Assembly
6731 having cognizance of matters relating to the environment an annual
6732 report concerning its activities with any appropriate recommendations
6733 concerning food policy.

6734 (d) The council may use such funds as may be available from
6735 federal, state or other sources and may enter into contracts to carry out
6736 the purposes of this section.

6737 (e) The council may, subject to the provisions of chapter 67, employ
6738 any necessary staff within available appropriations.

6739 Sec. 230. Subdivision (5) of section 28-1 of the general statutes is

6740 repealed and the following is substituted in lieu thereof (*Effective*
6741 *October 1, 2010*):

6742 (5) "Civil preparedness forces" means any organized personnel
6743 engaged in carrying out civil preparedness functions in accordance
6744 with the provisions of this chapter or any regulation or order adopted
6745 pursuant to this chapter. All the police and fire forces of the state or
6746 any political subdivision of the state, or any part of any political
6747 subdivision, including all the auxiliaries of these forces and emergency
6748 medical service personnel licensed or certified pursuant to section 19a-
6749 179, shall be construed to be a part of the civil preparedness forces. The
6750 Connecticut Disaster Medical Assistance Team and the Medical
6751 Reserve Corps, under the auspices of the Department of [Public
6752 Health] Human Services, the Connecticut Urban Search and Rescue
6753 Team, under the auspices of the Department of Emergency
6754 Management and Homeland Security, and the Connecticut behavioral
6755 health regional crisis response teams, under the auspices of the
6756 Department of [Mental Health and Addiction Services and the
6757 Department of Children and Families] Human Services, and their
6758 members, shall be construed to be a part of the civil preparedness
6759 forces while engaging in authorized civil preparedness duty or while
6760 assisting or engaging in authorized training for the purpose of
6761 eligibility for immunity from liability as provided in section 28-13 and
6762 for death, disability and injury benefits as provided in section 28-14.
6763 Any member of the civil preparedness forces who is called upon either
6764 by civil preparedness personnel or state or municipal police personnel
6765 to assist in any emergency shall be deemed to be engaging in civil
6766 preparedness duty while assisting in such emergency or while
6767 engaging in training under the auspices of the Department of
6768 Emergency Management and Homeland Security, the Department of
6769 Public Safety, the Division of State Police within the Department of
6770 Public Safety or a municipal police department, for the purpose of
6771 eligibility for death, disability and injury benefits as provided in
6772 section 28-14.

6773 Sec. 231. Subsections (a) and (b) of section 28-1b of the general

6774 statutes are repealed and the following is substituted in lieu thereof
6775 (*Effective October 1, 2010*):

6776 (a) There is established a state-wide Emergency Management and
6777 Homeland Security Coordinating Council to advise the Department of
6778 Public Safety, the Office of Emergency Management and, on and after
6779 January 1, 2005, the Department of Emergency Management and
6780 Homeland Security with respect to: (1) Application and distribution of
6781 federal or state funds for emergency management and homeland
6782 security; (2) planning, design, implementation and coordination of
6783 state-wide emergency response systems; (3) assessing the state's
6784 overall emergency management and homeland security preparedness,
6785 policies and communications; (4) the recommendation of strategies to
6786 improve emergency response and incident management including, but
6787 not limited to, training and exercises, volunteer management,
6788 communications and use of technology, intelligence gathering,
6789 compilation and dissemination, the development, coordination and
6790 implementation of state and federally required emergency response
6791 plans, and the assessment of the state's use of regional management
6792 structures; and (5) strengthening consultation, planning, cooperation
6793 and communication among federal, state and local governments, the
6794 Connecticut National Guard, police, fire, emergency medical and other
6795 first responders, emergency managers, public health officials, private
6796 industry and community organizations. The council shall advise the
6797 Governor and the General Assembly on its findings and efforts to
6798 secure the state from all disasters and emergencies and to enhance the
6799 protection of the citizens of the state.

6800 (b) The council shall consist of: (1) The Commissioner of Emergency
6801 Management and Homeland Security; the Secretary of the Office of
6802 Policy and Management; the Commissioner of Public Safety; the
6803 Commissioner of [Public Health; the Commissioner of Mental Health
6804 and Addiction] Human Services; the Commissioner of Environmental
6805 Protection; the Commissioner of Public Works; the Commissioner of
6806 Transportation; the Adjutant General of the Military Department; the
6807 chairperson of the Department of Public Utility Control; the Chief

6808 Information Officer, as defined in section 4d-1; the State Fire
6809 Administrator; or their designees; and (2) the following members
6810 appointed as follows: Two municipal police chiefs, one appointed by
6811 the speaker of the House of Representatives and one appointed by the
6812 Governor; two municipal fire chiefs, one appointed by the president
6813 pro tempore of the Senate and one appointed by the Governor; one
6814 volunteer fire chief appointed by the minority leader of the Senate; one
6815 representative of the Connecticut Conference of Municipalities
6816 appointed by the majority leader of the Senate; one representative of
6817 the Council of Small Towns appointed by the minority leader of the
6818 House of Representatives; two local or regional emergency
6819 management directors, one appointed by the speaker of the House of
6820 Representatives and one designated, not later than July 1, 2007, by the
6821 president of the Connecticut Emergency Management Association; one
6822 local or regional health director appointed by the president pro
6823 tempore of the Senate; one emergency medical services professional
6824 appointed by the Governor; one nonprofit hospital administrator
6825 appointed by the majority leader of the House of Representatives; and
6826 one manager or coordinator of 9-1-1 public safety answering points
6827 appointed by the Governor. Each member appointed under this
6828 subdivision shall serve for a term of three years from July 1, 2004, or
6829 three years from the time of appointment if appointed after July 1,
6830 2004, or until a qualified successor has been appointed to replace such
6831 member. No member appointed under this subdivision shall receive
6832 any compensation for such member's service on the council.

6833 Sec. 232. Subsection (h) of section 31-222 of the general statutes is
6834 repealed and the following is substituted in lieu thereof (*Effective*
6835 *October 1, 2010*):

6836 (h) "Hospital" means an institution which has been licensed by the
6837 Department of [Public Health or state Department of Mental Health
6838 and Addiction Services,] Human Services for the care and treatment of
6839 the sick and injured, and treatment of persons suffering from disease
6840 or other abnormal physical or mental conditions.

6841 Sec. 233. Section 31-306a of the general statutes is repealed and the
6842 following is substituted in lieu thereof (*Effective October 1, 2010*):

6843 Notwithstanding any contrary provision in section 31-306, any
6844 compensation due on behalf of any presumptive dependent child
6845 under the provisions of said section, which child has been committed
6846 to the Commissioner of [Social Services or the Commissioner of
6847 Children and Families] Human Services as neglected or uncared-for,
6848 shall be payable to the commissioner as legal guardian of the child less
6849 fees approved under subsection (b) of section 31-327.

6850 Sec. 234. Subsection (g) of section 38a-488a of the general statutes is
6851 repealed and the following is substituted in lieu thereof (*Effective*
6852 *October 1, 2010*):

6853 (g) In the case of benefits payable for the service of a licensed
6854 physician practicing as a psychiatrist or a licensed psychologist, under
6855 subsection (d) of this section, such benefits shall be payable for
6856 outpatient services rendered (1) in a nonprofit community mental
6857 health center, as defined by the Department of [Mental Health and
6858 Addiction] Human Services, in a nonprofit licensed adult psychiatric
6859 clinic operated by an accredited hospital or in a residential treatment
6860 facility; (2) under the supervision of a licensed physician practicing as
6861 a psychiatrist, a licensed psychologist, a licensed marital and family
6862 therapist, a licensed clinical social worker, a licensed or certified
6863 alcohol and drug counselor or a licensed professional counselor who is
6864 eligible for reimbursement under subdivisions (1) to (6), inclusive, of
6865 subsection (d) of this section; and (3) within the scope of the license
6866 issued to the center, [or] clinic [by the Department of Public Health or
6867 to the] or residential treatment facility by the Department of [Children
6868 and Families] Human Services.

6869 Sec. 235. Subsection (i) of section 38a-488a of the general statutes is
6870 repealed and the following is substituted in lieu thereof (*Effective*
6871 *October 1, 2010*):

6872 (i) In the case of any person admitted to a state institution or facility

6873 administered by the Department of [Mental Health and Addiction
6874 Services, Department of Public Health, Department of Children and
6875 Families or the Department of Developmental] Human Services, the
6876 state shall have a lien upon the proceeds of any coverage available to
6877 such person or a legally liable relative of such person under the terms
6878 of this section, to the extent of the per capita cost of such person's care.
6879 Except in the case of emergency services, the provisions of this
6880 subsection shall not apply to coverage provided under a managed care
6881 plan, as defined in section 38a-478.

6882 Sec. 236. Section 38a-21 of the 2010 supplement to the general
6883 statutes is repealed and the following is substituted in lieu thereof
6884 (*Effective October 1, 2010*):

6885 (a) As used in this section:

6886 (1) "Commissioner" means the Insurance Commissioner.

6887 (2) "Mandated health benefit" means an existing statutory obligation
6888 of, or proposed legislation that would require, an insurer, health care
6889 center, hospital service corporation, medical service corporation,
6890 fraternal benefit society or other entity that offers individual or group
6891 health insurance or medical or health care benefits plan in this state to:
6892 (A) Permit an insured or enrollee to obtain health care treatment or
6893 services from a particular type of health care provider; (B) offer or
6894 provide coverage for the screening, diagnosis or treatment of a
6895 particular disease or condition; or (C) offer or provide coverage for a
6896 particular type of health care treatment or service, or for medical
6897 equipment, medical supplies or drugs used in connection with a health
6898 care treatment or service. "Mandated health benefit" includes any
6899 proposed legislation to expand or repeal an existing statutory
6900 obligation relating to health insurance coverage or medical benefits.

6901 (b) (1) There is established within the Insurance Department a
6902 health benefit review program for the review and evaluation of any
6903 mandated health benefit that is requested by the joint standing
6904 committee of the General Assembly having cognizance of matters

6905 relating to insurance. Such program shall be funded by the Insurance
6906 Fund established under section 38a-52a. The commissioner shall be
6907 authorized to make assessments in a manner consistent with the
6908 provisions of chapter 698 for the costs of carrying out the requirements
6909 of this section. Such assessments shall be in addition to any other taxes,
6910 fees and moneys otherwise payable to the state. The commissioner
6911 shall deposit all payments made under this section with the State
6912 Treasurer. The moneys deposited shall be credited to the Insurance
6913 Fund and shall be accounted for as expenses recovered from insurance
6914 companies. Such moneys shall be expended by the commissioner to
6915 carry out the provisions of this section and section 2 of public act 09-
6916 179.

6917 (2) The commissioner shall contract with The University of
6918 Connecticut Center for Public Health and Health Policy to conduct any
6919 mandated health benefit review requested pursuant to subsection (c)
6920 of this section. The director of said center may engage the services of
6921 an actuary, quality improvement clearinghouse, health policy research
6922 organization or any other independent expert, and may engage or
6923 consult with any dean, faculty or other personnel said director deems
6924 appropriate within The University of Connecticut schools and colleges,
6925 including, but not limited to, The University of Connecticut (A) School
6926 of Business, (B) School of Dental Medicine, (C) School of Law, (D)
6927 School of Medicine, and (E) School of Pharmacy.

6928 (c) Not later than August first of each year, the joint standing
6929 committee of the General Assembly having cognizance of matters
6930 relating to insurance shall submit to the commissioner a list of any
6931 mandated health benefits for which said committee is requesting a
6932 review. Not later than January first of the succeeding year, the
6933 commissioner shall submit a report, in accordance with section 11-4a,
6934 of the findings of such review and the information set forth in
6935 subsection (d) of this section.

6936 (d) The review report shall include at least the following, to the
6937 extent information is available:

- 6938 (1) The social impact of mandating the benefit, including:
- 6939 (A) The extent to which the treatment, service or equipment,
6940 supplies or drugs, as applicable, is utilized by a significant portion of
6941 the population;
- 6942 (B) The extent to which the treatment, service or equipment,
6943 supplies or drugs, as applicable, is currently available to the
6944 population, including, but not limited to, coverage under Medicare, or
6945 through public programs administered by charities, public schools, the
6946 Department of [Public Health] Human Services, municipal health
6947 departments or health districts; [or the Department of Social Services;]
- 6948 (C) The extent to which insurance coverage is already available for
6949 the treatment, service or equipment, supplies or drugs, as applicable;
- 6950 (D) If the coverage is not generally available, the extent to which
6951 such lack of coverage results in persons being unable to obtain
6952 necessary health care treatment;
- 6953 (E) If the coverage is not generally available, the extent to which
6954 such lack of coverage results in unreasonable financial hardships on
6955 those persons needing treatment;
- 6956 (F) The level of public demand and the level of demand from
6957 providers for the treatment, service or equipment, supplies or drugs,
6958 as applicable;
- 6959 (G) The level of public demand and the level of demand from
6960 providers for insurance coverage for the treatment, service or
6961 equipment, supplies or drugs, as applicable;
- 6962 (H) The likelihood of achieving the objectives of meeting a
6963 consumer need as evidenced by the experience of other states;
- 6964 (I) The relevant findings of state agencies or other appropriate
6965 public organizations relating to the social impact of the mandated
6966 health benefit;

6967 (J) The alternatives to meeting the identified need, including, but
6968 not limited to, other treatments, methods or procedures;

6969 (K) Whether the benefit is a medical or a broader social need and
6970 whether it is consistent with the role of health insurance and the
6971 concept of managed care;

6972 (L) The potential social implications of the coverage with respect to
6973 the direct or specific creation of a comparable mandated benefit for
6974 similar diseases, illnesses or conditions;

6975 (M) The impact of the benefit on the availability of other benefits
6976 currently offered;

6977 (N) The impact of the benefit as it relates to employers shifting to
6978 self-insured plans and the extent to which the benefit is currently being
6979 offered by employers with self-insured plans;

6980 (O) The impact of making the benefit applicable to the state
6981 employee health insurance or health benefits plan; and

6982 (P) The extent to which credible scientific evidence published in
6983 peer-reviewed medical literature generally recognized by the relevant
6984 medical community determines the treatment, service or equipment,
6985 supplies or drugs, as applicable, to be safe and effective; and

6986 (2) The financial impact of mandating the benefit, including:

6987 (A) The extent to which the mandated health benefit may increase
6988 or decrease the cost of the treatment, service or equipment, supplies or
6989 drugs, as applicable, over the next five years;

6990 (B) The extent to which the mandated health benefit may increase
6991 the appropriate or inappropriate use of the treatment, service or
6992 equipment, supplies or drugs, as applicable, over the next five years;

6993 (C) The extent to which the mandated health benefit may serve as
6994 an alternative for more expensive or less expensive treatment, service

6995 or equipment, supplies or drugs, as applicable;

6996 (D) The methods that will be implemented to manage the utilization
6997 and costs of the mandated health benefit;

6998 (E) The extent to which insurance coverage for the treatment,
6999 service or equipment, supplies or drugs, as applicable, may be
7000 reasonably expected to increase or decrease the insurance premiums
7001 and administrative expenses for policyholders;

7002 (F) The extent to which the treatment, service or equipment,
7003 supplies or drugs, as applicable, is more or less expensive than an
7004 existing treatment, service or equipment, supplies or drugs, as
7005 applicable, that is determined to be equally safe and effective by
7006 credible scientific evidence published in peer-reviewed medical
7007 literature generally recognized by the relevant medical community;

7008 (G) The impact of insurance coverage for the treatment, service or
7009 equipment, supplies or drugs, as applicable, on the total cost of health
7010 care, including potential benefits or savings to insurers and employers
7011 resulting from prevention or early detection of disease or illness
7012 related to such coverage;

7013 (H) The impact of the mandated health care benefit on the cost of
7014 health care for small employers, as defined in section 38a-564, and for
7015 employers other than small employers; and

7016 (I) The impact of the mandated health benefit on cost-shifting
7017 between private and public payors of health care coverage and on the
7018 overall cost of the health care delivery system in the state.

7019 Sec. 237. Subsection (g) of section 38a-514 of the general statutes is
7020 repealed and the following is substituted in lieu thereof (*Effective*
7021 *October 1, 2010*):

7022 (g) In the case of benefits payable for the service of a licensed
7023 physician practicing as a psychiatrist or a licensed psychologist, under
7024 subsection (d) of this section, such benefits shall be payable for

7025 outpatient services rendered (1) in a nonprofit community mental
7026 health center, as defined by the Department of [Mental Health and
7027 Addiction] Human Services, in a nonprofit licensed adult psychiatric
7028 clinic operated by an accredited hospital or in a residential treatment
7029 facility; (2) under the supervision of a licensed physician practicing as
7030 a psychiatrist, a licensed psychologist, a licensed marital and family
7031 therapist, a licensed clinical social worker, a licensed or certified
7032 alcohol and drug counselor, or a licensed professional counselor who
7033 is eligible for reimbursement under subdivisions (1) to (6), inclusive, of
7034 subsection (d) of this section; and (3) within the scope of the license
7035 issued to the center, [or] clinic [by the Department of Public Health or
7036 to the] or residential treatment facility by the Department of [Children
7037 and Families] Human Services.

7038 Sec. 238. Subsection (i) of section 38a-514 of the general statutes is
7039 repealed and the following is substituted in lieu thereof (*Effective*
7040 *October 1, 2010*):

7041 (i) In the case of any person admitted to a state institution or facility
7042 administered by the Department of [Mental Health and Addiction
7043 Services, Department of Public Health, Department of Children and
7044 Families or the Department of Developmental] Human Services, the
7045 state shall have a lien upon the proceeds of any coverage available to
7046 such person or a legally liable relative of such person under the terms
7047 of this section, to the extent of the per capita cost of such person's care.
7048 Except in the case of emergency services the provisions of this
7049 subsection shall not apply to coverage provided under a managed care
7050 plan, as defined in section 38a-478.

7051 Sec. 239. Section 38a-1051 of the 2010 supplement to the general
7052 statutes is repealed and the following is substituted in lieu thereof
7053 (*Effective October 1, 2010*):

7054 (a) Whereas the General Assembly finds that: (1) Equal enjoyment of
7055 the highest attainable standard of health is a human right and a
7056 priority of the state, (2) research and experience demonstrate that

7057 inhabitants of the state experience barriers to the equal enjoyment of
7058 good health based on race, ethnicity, gender, national origin and
7059 linguistic ability, and (3) addressing such barriers, and others that may
7060 arise in the future, requires: The collection, analysis and reporting of
7061 information, the identification of causes, and the development and
7062 implementation of policy solutions that address health disparities
7063 while improving the health of the public as a whole therefore, there is
7064 established a Commission on Health Equity with the mission of
7065 eliminating disparities in health status based on race, ethnicity, gender
7066 and linguistic ability, and improving the quality of health for all of the
7067 state's residents. Such commission shall consist of the following
7068 commissioners, or their designees, and public members: (A) The
7069 Commissioners of [Public Health, Mental Health and Addiction
7070 Services, Developmental Services, Social Services] Human Services,
7071 Correction [, Children and Families,] and Education; (B) the dean of
7072 The University of Connecticut Health Center, or his designee; (C) the
7073 director of The University of Connecticut Health Center and Center for
7074 Public Health and Health Policy, or their designees; (D) the dean of the
7075 Yale University Medical School, or his designee; (E) the dean of Public
7076 Health and the School of Epidemiology at Yale University, or his
7077 designee; (F) one member appointed by the president pro tempore of
7078 the Senate, who shall be a member of an affiliate of the National Urban
7079 League; (G) one member appointed by the speaker of the House of
7080 Representatives, who shall be a member of the National Association
7081 for the Advancement of Colored People; (H) one member appointed
7082 by the majority leader of the House of Representatives, who shall be a
7083 member of the Black and Puerto Rican Caucus of the General
7084 Assembly; (I) one member appointed by the majority leader of the
7085 Senate with the advice of the Native American Heritage Advisory
7086 Council or the chairperson of the Indian Affairs Council, who shall be
7087 a representative of the Native American community; (J) one member
7088 appointed by the minority leader of the Senate, who shall be a
7089 representative of an advocacy group for Hispanics; (K) one member
7090 appointed by the minority leader of the House of Representatives, who
7091 shall be a representative of the state-wide Multicultural Health

7092 Network; (L) the chairperson of the African-American Affairs
7093 Commission, or his or her designee; (M) the chairperson of the Latino
7094 and Puerto Rican Affairs Commission, or his or her designee; (N) the
7095 chairperson of the Permanent Commission on the Status of Women, or
7096 his or her designee; (O) the chairperson of the Asian Pacific American
7097 Affairs Commission, or his or her designee; (P) the director of the
7098 Hispanic Health Council, or his or her designee; (Q) the chairperson of
7099 the Office of the Healthcare Advocate, or his or her designee; and (R)
7100 eight members of the public, representing communities facing
7101 disparities in health status based on race, ethnicity, gender and
7102 linguistic ability, who shall be appointed as follows: Two by the
7103 president pro tempore of the Senate, two by the speaker of the House
7104 of Representatives, two by the minority leader of the Senate, and two
7105 by the minority leader of the House of Representatives. Vacancies on
7106 the council shall be filled by the appointing authority.

7107 (b) The commission shall elect a chairperson and a vice-chairperson
7108 from among its members. Any member absent from either: (1) Three
7109 consecutive meetings of the commission, or (2) fifty per cent of such
7110 meetings during any calendar year, shall be deemed to have resigned
7111 from the commission.

7112 (c) Members of the commission shall serve without compensation,
7113 but within available appropriations, and shall be reimbursed for
7114 expenses necessarily incurred in the performance of their duties.

7115 (d) The commission shall meet as often as necessary as determined
7116 by the chairperson or a majority of the commission, but not less than at
7117 least once per calendar quarter.

7118 (e) The commission shall: (1) Review and comment on any proposed
7119 state legislation and regulations that would affect the health of
7120 populations in the state experiencing racial, ethnic, cultural or
7121 linguistic disparities in health status, (2) review and comment on the
7122 Department of [Public Health's] Human Services' health disparities
7123 performance measures, (3) advise and provide information to the

7124 Governor and the General Assembly on the state's policies concerning
7125 the health of populations in the state experiencing racial, ethnic,
7126 cultural or linguistic disparities in health status, (4) work as a liaison
7127 between populations experiencing racial, ethnic, cultural or linguistic
7128 disparities in health status and state agencies in order to eliminate such
7129 health disparities, (5) evaluate policies, procedures, activities and
7130 resource allocations to eliminate health status disparities among racial,
7131 ethnic and linguistic populations in the state and have the authority to
7132 convene the directors and commissioners of all state agencies whose
7133 purview is relevant to the elimination of health disparities, including,
7134 but not limited to, the Departments of [Public Health, Social Services,
7135 Children and Families, Developmental] Human Services, Education,
7136 [Mental Health and Addiction Services,] Labor, Transportation [.] and
7137 the Housing Finance Authority for the purpose of advising on and
7138 directing the implementation of policies, procedures, activities and
7139 resource allocations to eliminate health status disparities among racial,
7140 ethnic and linguistic populations in the state, (6) prepare and submit to
7141 the Governor and General Assembly an annual report, in accordance
7142 with section 11-4a, that provides both a retrospective and prospective
7143 view of health disparities and the state's efforts to ameliorate
7144 identifiable disparities among populations of the state experiencing
7145 racial, ethnic, cultural or linguistic disparities in health status, (7)
7146 explore other successful programs in other sectors and states, and pilot
7147 and provide grants for new creative programs that may diminish or
7148 contribute to the elimination of health disparities in the state and
7149 culturally appropriate health education demonstration projects, for
7150 which the commission may apply for, accept and expand public and
7151 private funding, (8) have the authority to collect and analyze
7152 government and other data regarding the health status of state
7153 inhabitants based on race, ethnicity, gender, national origin and
7154 linguistic ability, including access, services and outcomes in private
7155 and public health care institutions within the state, including, but not
7156 limited to, the data collected by the Connecticut Health Information
7157 Network, (9) have the authority to draft and recommend proposed
7158 legislation, regulations and other policies designed to address

7159 disparities in health status, and (10) have the authority to conduct
7160 hearings and interviews, and receive testimony, regarding matters
7161 pertinent to its mission.

7162 (f) The commission may use such funds as may be available from
7163 federal, state or other sources, and may enter into contracts to carry out
7164 the provisions of this section.

7165 (g) The commission may, within available appropriations and
7166 subject to the provisions of chapter 67, employ any necessary staff.

7167 (h) The commission shall be within the Office of the Healthcare
7168 Advocate for administrative purposes only.

7169 (i) The commission shall report to the Governor and the General
7170 Assembly on its findings not later than June 1, 2010.

7171 (j) The commission shall make a determination as to whether the
7172 duties of the commission are duplicated by any other state agency,
7173 office, bureau or commission and shall include information concerning
7174 any such duplication or performance of similar duties by any other
7175 state agency, office, bureau or commission in the report described in
7176 subsection (i) of this section.

7177 Sec. 240. Subsection (c) of section 45a-656b of the general statutes is
7178 repealed and the following is substituted in lieu thereof (*Effective*
7179 *October 1, 2010*):

7180 (c) A report filed under subsection (b) of this section with respect to
7181 placement in an institution for long-term care shall set forth the basis
7182 for the conservator's determination, what community resources are
7183 available and have been considered to avoid the placement, and the
7184 reasons why the conserved person's physical, mental and psychosocial
7185 needs cannot be met in a less restrictive and more integrated setting.
7186 Such community resources include, but are not limited to, resources
7187 provided by the area agencies on aging, the Department of [Social]
7188 Human Services, the Office of Protection and Advocacy for Persons

7189 with Disabilities, [the Department of Mental Health and Addiction
7190 Services, the Department of Developmental Services,] any center for
7191 independent living, as defined in section 17b-613, any residential care
7192 home or any congregate or subsidized housing. The conservator shall
7193 give notice of the placement of the conserved person in an institution
7194 for long-term care and a copy of such report to the conserved person,
7195 the conserved person's attorney and any interested parties as
7196 determined by the court. Service shall be by first-class mail. The
7197 conservator shall provide a certification to the court that service was
7198 made in the manner prescribed by this subsection.

7199 Sec. 241. Subsection (b) of section 46a-13l of the 2010 supplement to
7200 the general statutes is repealed and the following is substituted in lieu
7201 thereof (*Effective October 1, 2010*):

7202 (b) There is established a child fatality review panel composed of
7203 thirteen permanent members as follows: The Child Advocate, or a
7204 designee; the Commissioners of [Children and Families, Public Health]
7205 Human Services and Public Safety, or their designees; the Chief
7206 Medical Examiner, or a designee; the Chief State's Attorney, or a
7207 designee; a pediatrician, appointed by the Governor; a representative
7208 of law enforcement, appointed by the president pro tempore of the
7209 Senate; an attorney, appointed by the majority leader of the Senate; a
7210 social work professional, appointed by the minority leader of the
7211 Senate; a representative of a community service group appointed by
7212 the speaker of the House of Representatives; a psychologist, appointed
7213 by the majority leader of the House of Representatives; and an injury
7214 prevention representative, appointed by the minority leader of the
7215 House of Representatives. A majority of the panel may select not more
7216 than three additional temporary members with particular expertise or
7217 interest to serve on the panel. Such temporary members shall have the
7218 same duties and powers as the permanent members of the panel. The
7219 chairperson shall be elected from among the panel's permanent
7220 members. The panel shall, to the greatest extent possible, reflect the
7221 ethnic, cultural and geographic diversity of the state.

7222 Sec. 242. Subsection (a) of section 46a-126 of the 2010 supplement to
7223 the general statutes is repealed and the following is substituted in lieu
7224 thereof (*Effective October 1, 2010*):

7225 (a) There is established a Commission on Children consisting of
7226 twenty-one voting members. There shall be [nine] six nonvoting ex-
7227 officio members of the commission as follows: The Commissioners of
7228 [Children and Families, Developmental Services, Public Health]
7229 Human Services, Education [, Social Services] and Correction, the
7230 Secretary of the Office of Policy and Management, the Attorney
7231 General and the Chief Court Administrator.

7232 (1) With respect to members appointed prior to October 5, 2009,
7233 upon the occurrence of a vacancy or the expiration of the term of a
7234 member, whichever occurs first, such vacancy shall be filled as follows:
7235 (A) For any member appointed jointly by the majority leaders of the
7236 House of Representatives and the Senate, such vacancy shall be filled
7237 by a joint appointment of the majority leaders of the House of
7238 Representatives and the Senate; (B) for any member appointed by the
7239 Governor, such vacancy shall be filled by a joint appointment of the
7240 president pro tempore of the Senate and the speaker of the House of
7241 Representatives; (C) for any member appointed by the president pro
7242 tempore of the Senate, such vacancy shall be filled by an appointment
7243 of the president pro tempore of the Senate; (D) for any member
7244 appointed by the speaker of the House of Representatives, such
7245 vacancy shall be filled by an appointment of the speaker of the House
7246 of Representatives; (E) for any member appointed by the minority
7247 leader of the Senate, such vacancy shall be filled by an appointment of
7248 the minority leader of the Senate; and (G) for any member appointed
7249 by the minority leader of the House of Representatives, such vacancy
7250 shall be filled by the minority leader of the House of Representatives.

7251 (2) On or after October 5, 2009, (A) the majority leaders of the House
7252 of Representatives and the Senate shall jointly appoint one additional
7253 member to the commission who shall be from the central region of the
7254 state; (B) the president pro tempore of the Senate shall appoint one

7255 additional member to the commission from the northeastern region of
7256 the state; (C) the speaker of the House of Representatives shall appoint
7257 one additional member to the commission from the southeastern
7258 region of the state; (D) the minority leader of the Senate shall appoint
7259 one additional member to the commission from the northwestern
7260 region of the state; and (E) the minority leader of the House of
7261 Representatives shall appoint one additional member to the
7262 commission from the southwestern region of the state. In the event of a
7263 vacancy for any member appointed pursuant to this subdivision, such
7264 vacancy shall be filled by the appointing authority and such
7265 appointment shall be from the respective region of the state.

7266 (3) Any member appointed on or after October 5, 2009, shall have
7267 experience in the field of issues affecting children by virtue of such
7268 person's status as an advocate or an academic, civic or cultural leader.

7269 (4) Any member appointed pursuant to this subsection shall serve
7270 for a term of two years from July first in the year of his or her
7271 appointment. The commission shall elect a chairperson and a vice-
7272 chairperson from among its members who shall each serve in such
7273 capacity for a period of two years. Any person absent from (A) three
7274 consecutive meetings of the commission, or (B) fifty per cent of such
7275 meetings during any calendar year shall be deemed to have resigned
7276 from the commission, effective immediately.

7277 (5) Vacancies on the commission shall be filled by the appointing
7278 authority. Members of the commission shall serve without
7279 compensation but shall, within the limits of available funds, be
7280 reimbursed for expenses necessarily incurred in the performance of
7281 their duties. The commission shall meet as often as deemed necessary
7282 by the chairperson or a majority of the commission.

7283 Sec. 243. Section 46b-143 of the general statutes is repealed and the
7284 following is substituted in lieu thereof (*Effective October 1, 2010*):

7285 The clerk in charge of juvenile matters shall note the time of filing
7286 an appeal from a juvenile matter and forthwith forward to the clerk of

7287 the Appellate Court a certified copy of the appeal and order made
7288 thereon. He shall also send a copy by registered or certified mail to the
7289 Commissioner of [Social Services or to the Commissioner of Children
7290 and Families] Human Services, to the petitioner upon whose
7291 application the proceedings in the Superior Court were instituted,
7292 unless he is the appellant, to any person or agency having custody of
7293 any child or youth who is a subject of the proceeding, and to all other
7294 interested persons as designated in the appeal; and if the addresses of
7295 any such persons do not appear in the appeal, he shall call the matter
7296 to the attention of a judge of the Superior Court who shall make such
7297 an order of notice as he deems advisable.

7298 Sec. 244. Subdivision (3) of section 46a-150 of the general statutes is
7299 repealed and the following is substituted in lieu thereof (*Effective*
7300 *October 1, 2010*):

7301 (3) "Person at risk" means (A) a child requiring special education
7302 described in subparagraph (A) of subdivision (5) of section 10-76a,
7303 who is receiving special education by a local or regional board of
7304 education, or a child being evaluated for eligibility for special
7305 education pursuant to section 10-76d and awaiting a determination, or
7306 (B) a person receiving care, education or supervision in an institution
7307 or facility (i) operated by, licensed or authorized to operate by or
7308 operating pursuant to a contract with the [Departments of Public
7309 Health, Developmental Services, Children and Families, Mental Health
7310 and Addiction Services] Department of Human Services or a regional
7311 education service center established under section 10-66a, or (ii)
7312 operating under contract with a local or regional board of education
7313 pursuant to subsection (d) of section 10-76d. The term does not include
7314 a person in the custody of the Commissioner of Correction, or a
7315 resident or patient of a nursing home subject to federal regulations
7316 concerning restraint of residents or patients.

7317 Sec. 245. Subsections (a) and (b) of section 46a-170 of the general
7318 statutes are repealed and the following is substituted in lieu thereof
7319 (*Effective October 1, 2010*):

7320 (a) There is established a Trafficking in Persons Council that shall be
7321 within the Permanent Commission on the Status of Women for
7322 administrative purposes only.

7323 (b) The council shall consist of the following members: The Attorney
7324 General, the Chief State's Attorney, the Chief Public Defender, the
7325 Commissioner of Public Safety, the Labor Commissioner, the
7326 Commissioner of [Social Services, the Commissioner of Public Health,
7327 the Commissioner of Mental Health and Addiction Services, the
7328 Commissioner of Children and Families] Human Services, the Child
7329 Advocate, the Victim Advocate, the chairperson of the Commission on
7330 Children, the chairperson of the Permanent Commission on the Status
7331 of Women, the chairperson of the Latino and Puerto Rican Affairs
7332 Commission, the chairperson of the African-American Affairs
7333 Commission, three representatives of the Judicial Branch appointed by
7334 the Chief Court Administrator, one of whom shall represent the Office
7335 of Victim Services and one of whom shall represent the Court Support
7336 Services Division, and a municipal police chief appointed by the
7337 Connecticut Police Chiefs Association, or a representative of any such
7338 member who has been designated in writing by such member to serve
7339 as such member's representative, and seven public members appointed
7340 as follows: The Governor shall appoint one member who shall
7341 represent Connecticut Sexual Assault Crisis Services, Inc., the
7342 president pro tempore of the Senate shall appoint one member who
7343 shall represent an organization that provides civil legal services to low-
7344 income individuals, the speaker of the House of Representatives shall
7345 appoint one member who shall represent the Connecticut Coalition
7346 Against Domestic Violence, the majority leader of the Senate shall
7347 appoint one member who shall represent an organization that deals
7348 with behavioral health needs of women and children, the majority
7349 leader of the House of Representatives shall appoint one member who
7350 shall represent an organization that advocates on social justice and
7351 human rights issues, the minority leader of the Senate shall appoint
7352 one member who shall represent the Connecticut Immigrant and
7353 Refugee Coalition, and the minority leader of the House of

7354 Representatives shall appoint one member who shall represent the
7355 Asian-American community.

7356 Sec. 246. Subsection (a) of section 46b-121k of the 2010 supplement
7357 to the general statutes is repealed and the following is substituted in
7358 lieu thereof (*Effective October 1, 2010*):

7359 (a) (1) The Judicial Branch shall develop constructive programs for
7360 the prevention and reduction of delinquency and crime among
7361 juvenile offenders. To develop such programs, the executive director of
7362 the Court Support Services Division within the Judicial Branch shall
7363 cooperate with other agencies to encourage the establishment of new
7364 programs and to provide a continuum of services for juvenile
7365 offenders who do not require secure placement, including, but not
7366 limited to, juveniles classified pursuant to the risk assessment
7367 instrument described in section 46b-121i, as those who may be released
7368 with structured supervision and those who may be released without
7369 supervision. When appropriate, the Judicial Branch shall coordinate
7370 such programs with the Department of Children and Families, [and
7371 the Department of Mental Health and Addiction Services.]

7372 (2) The programs shall be tailored to the type of juvenile, including
7373 the juvenile's offense history, age, maturity and social development,
7374 gender, mental health, alcohol dependency or drug dependency, need
7375 for structured supervision and other characteristics, and shall be
7376 culturally appropriate, trauma-informed and provided in the least
7377 restrictive environment possible in a manner consistent with public
7378 safety. The Judicial Branch shall develop programs that provide: (A)
7379 Intensive general education, with an individualized remediation plan
7380 for each juvenile; (B) appropriate job training and employment
7381 opportunities; (C) counseling sessions in anger management and
7382 nonviolent conflict resolution; (D) treatment and prevention programs
7383 for alcohol dependency and drug dependency; (E) mental health
7384 screening, assessment and treatment; (F) sexual offender treatment;
7385 and (G) services for families of juveniles.

7386 Sec. 247. Section 52-146f of the general statutes is repealed and the
7387 following is substituted in lieu thereof (*Effective October 1, 2010*):

7388 Consent of the patient shall not be required for the disclosure or
7389 transmission of communications or records of the patient in the
7390 following situations as specifically limited:

7391 (1) Communications or records may be disclosed to other persons
7392 engaged in the diagnosis or treatment of the patient or may be
7393 transmitted to another mental health facility to which the patient is
7394 admitted for diagnosis or treatment if the psychiatrist in possession of
7395 the communications or records determines that the disclosure or
7396 transmission is needed to accomplish the objectives of diagnosis or
7397 treatment. The patient shall be informed that the communications or
7398 records will be so disclosed or transmitted. For purposes of this
7399 subsection, persons in professional training are to be considered as
7400 engaged in the diagnosis or treatment of the patients.

7401 (2) Communications or records may be disclosed when the
7402 psychiatrist determines that there is substantial risk of imminent
7403 physical injury by the patient to himself or others or when a
7404 psychiatrist, in the course of diagnosis or treatment of the patient,
7405 finds it necessary to disclose the communications or records for the
7406 purpose of placing the patient in a mental health facility, by
7407 certification, commitment or otherwise, provided the provisions of
7408 sections 52-146d to 52-146j, inclusive, shall continue in effect after the
7409 patient is in the facility.

7410 (3) Except as provided in section 17b-225, the name, address and
7411 fees for psychiatric services to a patient may be disclosed to
7412 individuals or agencies involved in the collection of fees for such
7413 services. In cases where a dispute arises over the fees or claims or
7414 where additional information is needed to substantiate the fee or
7415 claim, the disclosure of further information shall be limited to the
7416 following: (A) That the person was in fact a patient; (B) the diagnosis;
7417 (C) the dates and duration of treatment; and (D) a general description

7418 of the treatment, which shall include evidence that a treatment plan
7419 exists and has been carried out and evidence to substantiate the
7420 necessity for admission and length of stay in a health care institution
7421 or facility. If further information is required, the party seeking the
7422 information shall proceed in the same manner provided for hospital
7423 patients in section 4-105.

7424 (4) Communications made to or records made by a psychiatrist in
7425 the course of a psychiatric examination ordered by a court or made in
7426 connection with the application for the appointment of a conservator
7427 by the Probate Court for good cause shown may be disclosed at
7428 judicial or administrative proceedings in which the patient is a party,
7429 or in which the question of his incompetence because of mental illness
7430 is an issue, or in appropriate pretrial proceedings, provided the court
7431 finds that the patient has been informed before making the
7432 communications that any communications will not be confidential and
7433 provided the communications shall be admissible only on issues
7434 involving the patient's mental condition.

7435 (5) Communications or records may be disclosed in a civil
7436 proceeding in which the patient introduces his mental condition as an
7437 element of his claim or defense, or, after the patient's death, when his
7438 condition is introduced by a party claiming or defending through or as
7439 a beneficiary of the patient and the court or judge finds that it is more
7440 important to the interests of justice that the communications be
7441 disclosed than that the relationship between patient and psychiatrist
7442 be protected.

7443 (6) Communications or records may be disclosed to [(A)] the
7444 Commissioner of [Public Health] Human Services in connection with
7445 (A) any inspection, investigation or examination of an institution, as
7446 defined in subsection (a) of section 19a-490, authorized under section
7447 19a-498, or (B) [the Commissioner of Mental Health and Addiction
7448 Services in connection with] any inspection, investigation or
7449 examination authorized under subsection (f) of section 17a-451.

7450 (7) Communications or records may be disclosed to a member of the
7451 immediate family or legal representative of the victim of a homicide
7452 committed by the patient where such patient has, on or after July 1,
7453 1989, been found not guilty of such offense by reason of mental disease
7454 or defect pursuant to section 53a-13, provided such family member or
7455 legal representative requests the disclosure of such communications or
7456 records not later than six years after such finding, and provided
7457 further, such communications shall only be available during the
7458 pendency of, and for use in, a civil action relating to such person found
7459 not guilty pursuant to section 53a-13.

7460 (8) If a provider of behavioral health services that contracts with the
7461 Department of [Mental Health and Addiction] Human Services
7462 requests payment, the name and address of the person, a general
7463 description of the types of services provided, and the amount
7464 requested shall be disclosed to the department, provided notification
7465 that such disclosure will be made is sent, in writing, to the person at
7466 the earliest opportunity prior to such disclosure. In cases where a
7467 dispute arises over the fees or claims, or where additional information
7468 is needed to substantiate the claim, the disclosure of further
7469 information shall be limited to additional information necessary to
7470 clarify only the following: (A) That the person in fact received the
7471 behavioral health services in question, (B) the dates of such services,
7472 and (C) a general description of the types of services. Information the
7473 department receives pursuant to this subdivision shall be disclosed
7474 only to federal or state auditors and only as necessary for the purposes
7475 of auditing.

7476 Sec. 248. Subsection (i) of section 54-56d of the 2010 supplement to
7477 the general statutes is repealed and the following is substituted in lieu
7478 thereof (*Effective October 1, 2010*):

7479 (i) The placement of the defendant for treatment for the purpose of
7480 rendering the defendant competent shall comply with the following
7481 conditions: (1) The period of placement under the order or
7482 combination of orders shall not exceed the period of the maximum

7483 sentence which the defendant could receive on conviction of the
7484 charges against the defendant or eighteen months, whichever is less;
7485 (2) the placement shall be either in the custody of the Commissioner of
7486 [Mental Health and Addiction Services, the Commissioner of Children
7487 and Families or the Commissioner of Developmental] Human Services
7488 or, if the defendant or the [appropriate] commissioner agrees to
7489 provide payment, in the custody of any appropriate mental health
7490 facility or treatment program which agrees to provide treatment to the
7491 defendant and to adhere to the requirements of this section; and (3) the
7492 court shall order the placement, on either an inpatient or an outpatient
7493 basis, which the court finds is the least restrictive placement
7494 appropriate and available to restore competency. If outpatient
7495 treatment is the least restrictive placement for a defendant who has not
7496 yet been released from a correctional facility, the court shall consider
7497 whether the availability of such treatment is a sufficient basis on which
7498 to release the defendant on a promise to appear, conditions of release,
7499 cash bail or bond. If the court determines that the defendant may not
7500 be so released, the court shall order treatment of the defendant on an
7501 inpatient basis at a mental health facility or mental retardation facility.
7502 Not later than twenty-four hours after the court orders placement of
7503 the defendant for treatment for the purpose of rendering the defendant
7504 competent, the evaluators shall transmit information obtained about
7505 the defendant during the course of an evaluation pursuant to
7506 subsection (d) of this section to the health care provider named in the
7507 court's order.

7508 Sec. 249. Subsection (m) of section 54-56d of the 2010 supplement to
7509 the general statutes is repealed and the following is substituted in lieu
7510 thereof (*Effective October 1, 2010*):

7511 (m) If at any time the court determines that there is not a substantial
7512 probability that the defendant will attain competency within the
7513 period of treatment allowed by this section, or if at the end of such
7514 period the court finds that the defendant is still not competent, the
7515 court shall consider any recommendation made by the examiners
7516 pursuant to subsection (d) of this section and any opinion submitted

7517 by the treatment facility pursuant to subparagraph (C) of subsection (j)
7518 of this section regarding eligibility for, and the appropriateness of, civil
7519 commitment to a hospital for psychiatric disabilities and shall either
7520 release the defendant from custody or order the defendant placed in
7521 the custody of the Commissioner of [Mental Health and Addiction
7522 Services, the Commissioner of Children and Families or the
7523 Commissioner of Developmental] Human Services. If the court orders
7524 the defendant placed in the custody of the Commissioner of [Children
7525 and Families or the Commissioner of Developmental] Human Services,
7526 the commissioner, [given custody,] or the commissioner's designee,
7527 shall then apply for civil commitment in accordance with sections 17a-
7528 75 to 17a-83, inclusive, [or] 17a-270 to 17a-282, inclusive, [. If the court
7529 orders the defendant placed in the custody of the Commissioner of
7530 Mental Health and Addiction Services, the court may order the
7531 commissioner, or the commissioner's designee, to apply for civil
7532 commitment in accordance with sections] or 17a-495 to 17a-528,
7533 inclusive, or order the commissioner, or the commissioner's designee,
7534 to provide services to the defendant in a less restrictive setting,
7535 provided the examiners have determined in the written report filed
7536 pursuant to subsection (d) of this section or have testified pursuant to
7537 subsection (e) of this section that such services are available and
7538 appropriate. The court shall hear arguments as to whether the
7539 defendant should be released or should be placed in the custody of the
7540 Commissioner of [Mental Health and Addiction Services, the
7541 Commissioner of Children and Families or the Commissioner of
7542 Developmental] Human Services. If the court orders the release of a
7543 defendant charged with the commission of a crime that resulted in the
7544 death or serious physical injury, as defined in section 53a-3, of another
7545 person, or orders the placement of such defendant in the custody of
7546 the Commissioner of [Mental Health and Addiction Services] Human
7547 Services and an appropriate mental health or treatment facility, the
7548 court may, on its own motion or on motion of the prosecuting
7549 authority, order, as a condition of such release or placement, periodic
7550 examinations of the defendant as to the defendant's competency. Such
7551 an examination shall be conducted in accordance with subsection (d)

7552 of this section. Upon receipt of the written report as provided in
7553 subsection (d) of this section, the court shall, upon the request of either
7554 party filed not later than thirty days after the court receives such
7555 report, conduct a hearing as provided in subsection (e) of this section.
7556 Such hearing shall be held not later than ninety days after the court
7557 receives such report. If the court finds that the defendant has attained
7558 competency, the defendant shall be returned to the custody of the
7559 Commissioner of Correction or released, if the defendant has met the
7560 conditions for release, and the court shall continue with the criminal
7561 proceedings. Periodic examinations ordered by the court under this
7562 subsection shall continue until the court finds that the defendant has
7563 attained competency or until the time within which the defendant may
7564 be prosecuted for the crime with which the defendant is charged, as
7565 provided in section 54-193 or 54-193a, has expired, whichever occurs
7566 first. The court shall dismiss, with or without prejudice, any charges
7567 for which a nolle prosequi is not entered when the time within which
7568 the defendant may be prosecuted for the crime with which the
7569 defendant is charged, as provided in section 54-193 or 54-193a, has
7570 expired. Notwithstanding the erasure provisions of section 54-142a,
7571 police and court records and records of any state's attorney pertaining
7572 to a charge which is nolle or dismissed without prejudice while the
7573 defendant is not competent shall not be erased until the time for the
7574 prosecution of the defendant expires under section 54-193 or 54-193a.
7575 A defendant who is not civilly committed as a result of an application
7576 made by the Commissioner of [Mental Health and Addiction Services,
7577 the Commissioner of Children and Families or the Commissioner of
7578 Developmental] Human Services pursuant to this section shall be
7579 released. A defendant who is civilly committed pursuant to such an
7580 application shall be treated in the same manner as any other civilly
7581 committed person.

7582 Sec. 250. Subsection (n) of section 54-56d of the 2010 supplement to
7583 the general statutes is repealed and the following is substituted in lieu
7584 thereof (*Effective October 1, 2010*):

7585 (n) The cost of the examination effected by the Commissioner of

7586 [Mental Health and Addiction] Human Services and of testimony of
7587 persons conducting the examination effected by the commissioner
7588 shall be paid by the Department of [Mental Health and Addiction]
7589 Human Services. The cost of the examination and testimony by
7590 physicians appointed by the court shall be paid by the Judicial
7591 Department. If the defendant is indigent, the fee of the person selected
7592 by the defendant to observe the examination and to testify on the
7593 defendant's behalf shall be paid by the Public Defender Services
7594 Commission. The expense of treating a defendant placed in the
7595 custody of the Commissioner of [Mental Health and Addiction
7596 Services, the Commissioner of Children and Families or the
7597 Commissioner of Developmental] Human Services pursuant to
7598 subdivision (2) of subsection (h) of this section or subsection (i) of this
7599 section shall be computed and paid for in the same manner as is
7600 provided for persons committed by a probate court under the
7601 provisions of sections 17b-122, 17b-124 to 17b-132, inclusive, 17b-136 to
7602 17b-138, inclusive, 17b-194 to 17b-197, inclusive, 17b-222 to 17b-250,
7603 inclusive, 17b-256, 17b-263, 17b-340 to 17b-350, inclusive, 17b-689b and
7604 17b-743 to 17b-747, inclusive.

7605 Sec. 251. Subsection (c) of section 54-102g of the general statutes is
7606 repealed and the following is substituted in lieu thereof (*Effective*
7607 *October 1, 2010*):

7608 (c) Any person who has been found not guilty by reason of mental
7609 disease or defect pursuant to section 53a-13 of a criminal offense
7610 against a victim who is a minor, a nonviolent sexual offense or a
7611 sexually violent offense, as those terms are defined in section 54-250, or
7612 a felony, and is in custody as a result of that finding, shall, prior to
7613 discharge from custody in accordance with subsection (e) of section
7614 17a-582, section 17a-588 or subsection (g) of section 17a-593 and at such
7615 time as the Commissioner of [Mental Health and Addiction Services or
7616 the Commissioner of Developmental Services] Human Services with
7617 whom such person has been placed may specify, submit to the taking
7618 of a blood or other biological sample for DNA (deoxyribonucleic acid)
7619 analysis to determine identification characteristics specific to the

7620 person.

7621 Sec. 252. Subsection (a) of section 54-102h of the general statutes is
7622 repealed and the following is substituted in lieu thereof (*Effective*
7623 *October 1, 2010*):

7624 (a) (1) The collection of a blood or other biological sample from
7625 persons required to submit to the taking of such sample pursuant to
7626 subsection (a) of section 54-102g shall be the responsibility of the
7627 Department of Correction and shall be taken at a time and place
7628 specified by the Department of Correction.

7629 (2) The collection of a blood or other biological sample from persons
7630 required to submit to the taking of such sample pursuant to subsection
7631 (b) of section 54-102g shall be the responsibility of the Department of
7632 Public Safety and shall be taken at a time and place specified by the
7633 sentencing court.

7634 (3) The collection of a blood or other biological sample from persons
7635 required to submit to the taking of such sample pursuant to subsection
7636 (c) of section 54-102g shall be the responsibility of the Commissioner of
7637 [Mental Health and Addiction Services or the Commissioner of
7638 Developmental Services, as the case may be,] Human Services and
7639 shall be taken at a time and place specified by said commissioner.

7640 (4) The collection of a blood or other biological sample from persons
7641 required to submit to the taking of such sample pursuant to subsection
7642 (d) of section 54-102g shall be the responsibility of the Judicial
7643 Department if such person is serving a period of probation and of the
7644 Department of Correction if such person is serving a period of parole
7645 and shall be taken at a time and place specified by the Court Support
7646 Services Division or the Department of Correction, as the case may be.

7647 (5) The collection of a blood or other biological sample from persons
7648 required to submit to the taking of such sample pursuant to subsection
7649 (e) of section 54-102g shall be the responsibility of the agency in whose
7650 custody or under whose supervision such person has been placed, and

7651 shall be taken at a time and place specified by such agency.

7652 Sec. 253. Section 54-199 of the general statutes is repealed and the
7653 following is substituted in lieu thereof (*Effective October 1, 2010*):

7654 Whenever any minor charged with the commission of an offense is
7655 to appear in any court, he shall be accompanied by one of his parents,
7656 if such parent is physically capable of appearing and is within the
7657 jurisdiction of such court, or by his legally appointed guardian, if any.
7658 In the case of any child committed to the guardianship of the
7659 Commissioner of [Social Services or the Commissioner of Children and
7660 Families] Human Services, [said] the commissioner may designate any
7661 member of his department to act as his representative. If any such
7662 parent, guardian or representative fails to appear in court as required
7663 by this section, the court may continue the case until he so appears and
7664 may issue a subpoena to compel his attendance. Failure to appear in
7665 response to such subpoena shall be punishable as contempt of court.
7666 The judge of such court may, in his discretion and for good cause,
7667 waive the requirement that a minor be accompanied by his parent,
7668 guardian or a department of social services representative.

7669 Sec. 254. Subsection (b) of section 54-203 of the 2010 supplement to
7670 the general statutes is repealed and the following is substituted in lieu
7671 thereof (*Effective October 1, 2010*):

7672 (b) The Office of Victim Services shall have the following powers
7673 and duties:

7674 (1) To direct each hospital, whether public or private, to display
7675 prominently in its emergency room posters giving notice of the
7676 availability of compensation and assistance to victims of crime or their
7677 dependents pursuant to sections 54-201 to 54-233, inclusive, and to
7678 direct every law enforcement agency of the state to inform victims of
7679 crime or their dependents of their rights pursuant to sections 54-201 to
7680 54-233, inclusive;

7681 (2) To request from the office of the state's attorney, state police,

7682 local police departments or any law enforcement agency such
7683 investigation and data as will enable the Office of Victim Services to
7684 determine if in fact the applicant was a victim of a crime or attempted
7685 crime and the extent, if any, to which the victim or claimant was
7686 responsible for his own injury;

7687 (3) To request from the Department of Correction, other units of the
7688 Judicial Department and the Board of Pardons and Paroles such
7689 information as will enable the Office of Victim Services to determine if
7690 in fact a person who has requested notification pursuant to section 54-
7691 228 was a victim of a crime;

7692 (4) To direct medical examination of victims as a requirement for
7693 payment under sections 54-201 to 54-233, inclusive;

7694 (5) To take or cause to be taken affidavits or depositions within or
7695 without the state;

7696 (6) To apply for, receive, allocate, disburse and account for grants of
7697 funds made available by the United States, by the state, foundations,
7698 corporations and other businesses, agencies or individuals to
7699 implement a program for victim services which shall assist witnesses
7700 and victims of crimes as the Office of Victim Services deems
7701 appropriate within the resources available and to coordinate services
7702 to victims by state and community-based agencies, with priority given
7703 to victims of violent crimes, by (A) assigning, in consultation with the
7704 Division of Criminal Justice, such victim advocates as are necessary to
7705 provide assistance; (B) administering victim service programs; and (C)
7706 awarding grants or purchase of service contracts in accordance with
7707 the plan developed under subdivision (15) of this subsection to private
7708 nonprofit organizations or local units of government for the direct
7709 delivery of services, except that the provision of training and technical
7710 assistance of victim service providers and the development and
7711 implementation of public education campaigns may be provided by
7712 private nonprofit or for-profit organizations or local units of
7713 government. Such grants and contracts shall be the predominant

7714 method by which the Office of Victim Services shall develop,
7715 implement and operate direct service programs and provide training
7716 and technical assistance to victim service providers;

7717 (7) To provide each person who applies for compensation pursuant
7718 to section 54-204, within ten days of the date of receipt of such
7719 application, with a written list of rights of victims of crime involving
7720 personal injury and the programs available in this state to assist such
7721 victims. The Office of Victim Services, the state or any agent, employee
7722 or officer thereof shall not be liable for the failure to supply such list or
7723 any alleged inadequacies of such list. Such list shall include, but not be
7724 limited to:

7725 (A) Subject to the provisions of sections 18-81e and 51-286e, the
7726 victim shall have the right to be informed concerning the status of his
7727 or her case and to be informed of the release from custody of the
7728 defendant;

7729 (B) Subject to the provisions of section 54-91c, the victim shall have
7730 the right to present a statement of his or her losses, injuries and wishes
7731 to the prosecutor and the court prior to the acceptance by the court of a
7732 plea of guilty or nolo contendere made pursuant to a plea agreement
7733 with the state wherein the defendant pleads to a lesser offense than the
7734 offense with which the defendant was originally charged;

7735 (C) Subject to the provisions of section 54-91c, prior to the
7736 imposition of sentence upon the defendant, the victim shall have the
7737 right to submit a statement to the prosecutor as to the extent of any
7738 injuries, financial losses and loss of earnings directly resulting from the
7739 crime;

7740 (D) Subject to the provisions of section 54-126a, the victim shall have
7741 the right to appear before a panel of the Board of Pardons and Paroles
7742 and make a statement as to whether the defendant should be released
7743 on parole and any terms or conditions to be imposed upon any such
7744 release;

7745 (E) Subject to the provisions of section 54-36a, the victim shall have
7746 the right to have any property the victim owns which was seized by
7747 police in connection with an arrest to be returned;

7748 (F) Subject to the provisions of sections 54-56e and 54-142c, the
7749 victim shall have the right to be notified of the application by the
7750 defendant for the pretrial program for accelerated rehabilitation and to
7751 obtain from the court information as to whether the criminal
7752 prosecution in the case has been dismissed;

7753 (G) Subject to the provisions of section 54-85b, the victim cannot be
7754 fired, harassed or otherwise retaliated against by an employer for
7755 appearing under a subpoena as a witness in any criminal prosecution;

7756 (H) Subject to the provisions of section 54-86g, the parent or legal
7757 guardian of a child twelve years of age or younger who is a victim of
7758 child abuse or sexual assault may request special procedural
7759 considerations to be taken during the testimony of the child;

7760 (I) Subject to the provisions of section 46b-15, the victim of assault
7761 by a spouse or former spouse, family or household member has the
7762 right to request the arrest of the offender, request a protective order
7763 and apply for a restraining order;

7764 (J) Subject to the provisions of sections 52-146k, 54-86e and 54-86f,
7765 the victim of sexual assault or domestic violence can expect certain
7766 records to remain confidential;

7767 (8) Within available appropriations, to establish a victim's assistance
7768 center which shall provide a victims' rights information clearinghouse
7769 which shall be a central repository of information regarding rights of
7770 victims of crime and services available to such victims and shall collect
7771 and disseminate such information to assist victims;

7772 (9) To provide, not later than January 1, 1994, a victims' notification
7773 clearinghouse which shall be a central repository for requests for
7774 notification filed pursuant to sections 54-228 and 54-229, and to notify,

7775 on and after January 1, 1994, persons who have filed such a request
7776 whenever an inmate has applied for release from a correctional
7777 institution or reduction of sentence or review of sentence pursuant to
7778 section 54-227 or whenever an inmate is scheduled to be released from
7779 a correctional institution and, on and after January 1, 1994, to provide
7780 victims of family violence crimes, upon request, information
7781 concerning any modification or termination of criminal orders of
7782 protection;

7783 (10) To provide a telephone hotline that shall provide information
7784 on referrals for various services for victims of crime and their families;

7785 (11) To provide staff services to a state advisory council. The council
7786 shall consist of not more than fifteen members to be appointed by the
7787 Chief Justice and shall include the Chief Victim Compensation
7788 Commissioner and members who represent victim populations,
7789 including but not limited to, homicide survivors, family violence
7790 victims, sexual assault victims, victims of drunk drivers, and assault
7791 and robbery victims, and members who represent the judicial branch
7792 and executive branch agencies involved with victims of crime. The
7793 members shall serve for terms of four years. Any vacancy in the
7794 membership shall be filled by the appointing authority for the balance
7795 of the unexpired term. The members shall receive no compensation for
7796 their services. The council shall meet at least six times a year. The
7797 council shall recommend to the Office of Victim Services program,
7798 legislative or other matters which would improve services to victims of
7799 crime and develop and coordinate needs assessments for both court-
7800 based and community-based victim services. The Chief Justice shall
7801 appoint two members to serve as cochairmen. Not later than December
7802 fifteenth of each year, the council shall report the results of its findings
7803 and activities to the Chief Court Administrator;

7804 (12) To utilize such voluntary and uncompensated services of
7805 private individuals, agencies and organizations as may from time to
7806 time be offered and needed;

7807 (13) To recommend policies and make recommendations to agencies
7808 and officers of the state and local subdivisions of government relative
7809 to victims of crime;

7810 (14) To provide support and assistance to state-wide victim services
7811 coalitions and groups;

7812 (15) To develop, in coordination with the Department of [Social
7813 Services, the Department of Public Health] Human Services, the Office
7814 of Policy and Management [, the Department of Children and
7815 Families] and the Division of Criminal Justice, a comprehensive plan to
7816 more effectively administer crime victims' compensation and
7817 coordinate the delivery of services to crime victims, including the
7818 funding of such services. Such plan shall be submitted to the Governor
7819 and the General Assembly not later than January 1, 1994;

7820 (16) Within available appropriations to establish a crime victims'
7821 information clearinghouse which shall be a central repository for
7822 information collected pursuant to subdivision (9) of this subsection
7823 and information made available through the criminal justice
7824 information system, to provide a toll-free telephone number for access
7825 to such information and to develop a plan, in consultation with all
7826 agencies required to provide notification to victims, outlining any
7827 needed statutory changes, resources and working agreements
7828 necessary to make the Office of Victim Services the lead agency for
7829 notification of victims, which plan shall be submitted to the General
7830 Assembly not later than February 15, 2000;

7831 (17) To provide a training program for judges, prosecutors, police,
7832 probation and parole personnel, bail commissioners, officers from the
7833 Department of Correction and judicial marshals to inform them of
7834 victims' rights and available services;

7835 (18) To establish a sexual assault forensic examiners program that
7836 will train and make available sexual assault forensic examiners to
7837 adolescent and adult victims of sexual assault who are patients at
7838 participating acute care hospitals. In order to establish and implement

7839 such program, the Office of Victim Services may apply for, receive,
7840 allocate, disburse and account for grants of funds made available by
7841 the United States, the state, foundations, corporations and other
7842 businesses, agencies or individuals; and

7843 (19) To submit to the joint standing committee of the General
7844 Assembly having cognizance of matters relating to victim services, in
7845 accordance with the provisions of section 11-4a, on or before January
7846 15, 2000, and biennially thereafter a report of its activities under
7847 sections 54-201 to 54-233, inclusive, including, but not limited to,
7848 implementation of training activities and mandates. Such report shall
7849 include the types of training provided, entities providing training and
7850 recipients of training.

7851 Sec. 255. Section 17a-228 of the general statutes is repealed and the
7852 following is substituted in lieu thereof (*Effective October 1, 2010*):

7853 (a) If a person with mental retardation residing in a residential
7854 facility for the mentally retarded licensed pursuant to section 17a-227,
7855 but not certified to participate in the Title XIX Medicaid program as an
7856 intermediate care facility for the mentally retarded, qualifies for the
7857 program of state supplementation to the Supplemental Security
7858 Income Program, the Commissioner of [Social Services] Human
7859 Services shall pay, under such qualifying program, on behalf of such
7860 person the rate established pursuant to subsection (b) of section 17b-
7861 244 for room and board, after a reasonable deduction, as determined
7862 by the commissioner, to reflect such person's income. The Department
7863 of [Developmental Services] Human Services shall pay the rate
7864 established pursuant to subsection (b) of section 17b-244 for services
7865 other than room and board provided on behalf of any person whose
7866 admission to the facility has been authorized by the Department of
7867 [Developmental Services] Human Services.

7868 (b) Notwithstanding the provisions of subsection (a) of this section,
7869 persons residing in residential facilities for the mentally retarded
7870 licensed pursuant to section 17a-227 and receiving state payment for

7871 the cost of such services on October 1, 1983, shall be deemed to have
7872 been authorized for admission by the Department of [Developmental
7873 Services] Human Services. In addition, any person who is admitted to
7874 a residential facility for the mentally retarded after October 1, 1983,
7875 and not later than December 31, 1983, which facility is licensed
7876 pursuant to said section after October 1, 1983, and who is receiving
7877 state payment for the cost of such services, shall be deemed to have
7878 been authorized for admission by the Department of [Developmental
7879 Services] Human Services if (1) not later than July 15, 1983, the
7880 applicant for licensure owns or has an interest in the facility or land
7881 upon which the facility shall be located, or concludes a closing
7882 transaction on any mortgage loan secured by mortgage on such facility
7883 or land, (2) such facility is licensed not later than December 31, 1983,
7884 and (3) the applicant for licensure presents evidence to the
7885 Commissioner of [Developmental Services] Human Services that
7886 commitments had been made by such applicant not later than July 15,
7887 1983, for the placement of individuals in such facility.

7888 (c) The Department of [Social Services] Human Services shall
7889 continue to make payments on behalf of persons residing, on or before
7890 October 1, 1983, in residential facilities licensed pursuant to section
7891 17a-227 on or before October 1, 1983, but not certified as intermediate
7892 care facilities for the mentally retarded, and on behalf of persons
7893 authorized for admission into such facilities by the Department of
7894 [Developmental Services] Human Services after October 1, 1983, who
7895 are otherwise eligible for assistance under sections 17b-600 to 17b-604,
7896 inclusive. Such payment shall be on the same basis and at the same
7897 rate which is in effect on October 1, 1983, and shall continue to pay
7898 such rate until the next succeeding annual rate is determined as
7899 provided in section 17b-244 and in this section.

7900 (d) Each individual authorized for admission pursuant to
7901 [subsections] subsection (a) or (b) of this section into a residential
7902 facility for the mentally retarded licensed pursuant to section 17a-227
7903 shall be reviewed annually by the Department of [Developmental
7904 Services] Human Services. Upon completion of the annual review, the

7905 Department of [Developmental Services] Human Services may (1)
7906 renew the authorization of the individual for continued state-assisted
7907 care in the residential facility, (2) refuse to renew the authorization of
7908 the individual for continued state-assisted care in the residential
7909 facility but authorize admission into alternate facilities, or (3) refuse to
7910 renew the authorization of the individual for continued state-assisted
7911 care in the facility and refuse to authorize continued state-assisted care
7912 in alternate facilities. If the Department of [Developmental Services]
7913 Human Services refuses to renew the authorization of the individual
7914 for continued state-assisted care in the residential facility and either
7915 authorizes admission into alternative facilities or refuses to authorize
7916 the individual for state-assisted care in any such alternative facility, the
7917 Department of [Developmental Services] Human Services shall
7918 continue to pay the rate established pursuant to section 17b-244 for
7919 such time as may be administratively necessary for the Department of
7920 [Developmental Services] Human Services to arrange for an
7921 appropriate transfer.

7922 (e) Whenever the Department of [Developmental Services] Human
7923 Services refuses to renew the authorization of a person for continued
7924 state-assisted care in a licensed residential facility for the mentally
7925 retarded pursuant to subsection (d) of this section and either
7926 authorizes the individual for admission into alternate facilities or
7927 refuses to authorize the individual for continued state-assisted care in
7928 any alternative facility, the Department of [Developmental Services]
7929 Human Services shall give thirty days' notice of its determination to
7930 the previously authorized individual and to such individual's parent,
7931 conservator, guardian or other legal representative. Such notice shall
7932 also notify each such individual or his legal representative of the
7933 individual's right to contest the determination by submitting a request
7934 for a hearing in writing to the Commissioner of [Developmental
7935 Services] Human Services within fifteen days of receiving the notice
7936 required by this subsection. Such hearing, if requested, shall be
7937 conducted in accordance with the provisions of sections 4-176e to 4-
7938 184, inclusive. State-assisted care shall continue in the present facility

7939 pending final disposition of any such hearing.

7940 [(f) Whenever the Department of Social Services is notified that a
7941 facility receiving payments from the Department of Developmental
7942 Services under the provisions of this section has been certified as an
7943 intermediate care facility for persons with mental retardation, as
7944 defined in 42 CFR 440.50, the Commissioner of Social Services shall
7945 notify the Governor and the Governor, with the approval of the
7946 Finance Advisory Committee, may transfer from the appropriation for
7947 the Department of Developmental Services to the Department of Social
7948 Services, sufficient funds to cover the cost of all services previously
7949 paid by the Department of Developmental Services that are
7950 reimbursable, at the rate established for services provided by such
7951 certified facilities. Subsequent budget requests from both departments
7952 shall reflect such transfer of responsibility.]

7953 Sec. 256. (NEW) (*Effective July 1, 2010*) (a) There is established a
7954 Commission on the Status of Protected Citizens.

7955 (b) The commission shall consist of twenty-one members, appointed
7956 as follows: (1) Three by the Governor; (2) three by the president pro
7957 tempore of the Senate; (3) three by the majority leader of the Senate; (4)
7958 three by the minority leader of the Senate; (5) three by the speaker of
7959 the House of Representatives; (6) three by the majority leader of the
7960 House of Representatives; and (7) three by the minority leader of the
7961 House of Representatives.

7962 (c) The Commission on the Status of Protected Citizens shall
7963 constitute a successor commission to the Asian Pacific American
7964 Affairs Commission, African-American Affairs Commission,
7965 Commission on Aging, Commission on Children, Latino and Puerto
7966 Rican Affairs Commission and Permanent Commission on the Status
7967 of Women. On the effective date of this section, the Commission on the
7968 Status of Protected Citizens shall assume all responsibilities of the
7969 Asian Pacific American Affairs Commission, African-American Affairs
7970 Commission, Commission on Aging, Commission on Children, Latino

7971 and Puerto Rican Affairs Commission and Permanent Commission on
7972 the Status of Women pursuant to any provision of the general statutes.
7973 The transfer of functions, powers, duties, obligations, including, but
7974 not limited to, contract obligations, the continuance of orders and
7975 regulations, the effect upon pending actions and proceedings, the
7976 completion of unfinished business, and the transfer of records and
7977 property between the Asian Pacific American Affairs Commission,
7978 African-American Affairs Commission, Commission on Aging,
7979 Commission on Children, Latino and Puerto Rican Affairs
7980 Commission and Permanent Commission on the Status of Women, as
7981 said commissions existed immediately prior to the effective date of this
7982 section, and the Commission on the Status of Protected Citizens shall
7983 be governed by the provisions of subsections (a) to (d), inclusive, and
7984 subsection (f) of section 4-38d and sections 4-38e and 4-39 of the
7985 general statutes.

7986 (d) Wherever the words "Asian Pacific American Affairs
7987 Commission", "African-American Affairs Commission", "Commission
7988 on Aging", "Commission on Children", "Latino and Puerto Rican
7989 Affairs Commission" and "Permanent Commission on the Status of
7990 Women" are used in the general statutes, the words "Commission on
7991 the Status of Protected Citizens" shall be substituted in lieu thereof.

7992 (e) Each member of the commission shall serve for a term of two
7993 years from July first in the year of his or her appointment. The
7994 commission shall elect a chairperson and a vice chairperson from
7995 among its members who shall each serve in such capacity for a period
7996 of two years. Any person absent from (1) three consecutive meetings of
7997 the commission, or (2) fifty per cent of such meetings during any
7998 calendar year shall be deemed to have resigned from the commission,
7999 effective immediately.

8000 (f) Vacancies on the commission shall be filled by the appointing
8001 authority. Members of the commission shall serve without
8002 compensation but shall, within the limits of available funds, be
8003 reimbursed for expenses necessarily incurred in the performance of

8004 their duties. The commission shall meet as often as deemed necessary
8005 by the chairperson or a majority of the commission.

8006 Sec. 257. (NEW) (*Effective July 1, 2010*) On and after July 1, 2010,
8007 "Commission on the Status of Protected Citizens" shall be substituted
8008 for "Asian Pacific American Affairs Commission", "African-American
8009 Affairs Commission", "Commission on Aging", "Commission on
8010 Children", "Latino and Puerto Rican Affairs Commission" and
8011 "Permanent Commission on the Status of Women" in the following
8012 sections of the general statutes: 3-123aa, 4-61t, 4-67x, 4-124bb, 7-127c,
8013 10-16n, 10-16v, 10-16z, 10-145a, 16a-41b, 17a-219c, 17a-317, 17b-338,
8014 17b-367, 17b-751c, 19a-59c, 19a-112a, 31-3g, 31-3cc, 46a-4b, 46a-68, 46a-
8015 131, 46a-131a, 46b-69c, 46b-215a and 54-1m.

8016 Sec. 258. Subsection (a) of section 17b-28 of the 2010 supplement to
8017 the general statutes is repealed and the following is substituted in lieu
8018 thereof (*Effective July 1, 2010*):

8019 (a) There is established a council which shall advise the
8020 Commissioner of Social Services on the planning and implementation
8021 of a system of Medicaid managed care and shall monitor such
8022 planning and implementation and shall advise the Waiver Application
8023 Development Council, established pursuant to section 17b-28a, on
8024 matters including, but not limited to, eligibility standards, benefits,
8025 access and quality assurance. The council shall be composed of the
8026 chairpersons and ranking members of the joint standing committees of
8027 the General Assembly having cognizance of matters relating to human
8028 services, public health and appropriations and the budgets of state
8029 agencies, or their designees; two members of the General Assembly,
8030 one to be appointed by the president pro tempore of the Senate and
8031 one to be appointed by the speaker of the House of Representatives;
8032 the director of the Commission on [Aging, or a designee; the director
8033 of the Commission on Children] the Status of Protected Citizens, or a
8034 designee; a representative of each organization that has been selected
8035 by the state to provide managed care and a representative of a primary
8036 care case management provider, to be appointed by the president pro

8037 tempore of the Senate; two representatives of the insurance industry,
8038 to be appointed by the speaker of the House of Representatives; two
8039 advocates for persons receiving Medicaid, one to be appointed by the
8040 majority leader of the Senate and one to be appointed by the minority
8041 leader of the Senate; one advocate for persons with substance use
8042 disorders, to be appointed by the majority leader of the House of
8043 Representatives; one advocate for persons with psychiatric disabilities,
8044 to be appointed by the minority leader of the House of
8045 Representatives; two advocates for the Department of Children and
8046 Families foster families, one to be appointed by the president pro
8047 tempore of the Senate and one to be appointed by the speaker of the
8048 House of Representatives; two members of the public who are
8049 currently recipients of Medicaid, one to be appointed by the majority
8050 leader of the House of Representatives and one to be appointed by the
8051 minority leader of the House of Representatives; two representatives
8052 of the Department of Social Services, to be appointed by the
8053 Commissioner of Social Services; two representatives of the
8054 Department of Public Health, to be appointed by the Commissioner of
8055 Public Health; two representatives of the Department of Mental Health
8056 and Addiction Services, to be appointed by the Commissioner of
8057 Mental Health and Addiction Services; two representatives of the
8058 Department of Children and Families, to be appointed by the
8059 Commissioner of Children and Families; two representatives of the
8060 Office of Policy and Management, to be appointed by the Secretary of
8061 the Office of Policy and Management; one representative of the office
8062 of the State Comptroller, to be appointed by the State Comptroller and
8063 the members of the Health Care Access Board who shall be ex-officio
8064 members and who may not designate persons to serve in their place.
8065 The council shall choose a chair from among its members. The Joint
8066 Committee on Legislative Management shall provide administrative
8067 support to such chair. The council shall convene its first meeting no
8068 later than June 1, 1994.

8069 Sec. 259. Subsection (d) of section 17b-297 of the general statutes is
8070 repealed and the following is substituted in lieu thereof (*Effective July*

8071 1, 2010):

8072 (d) The commissioner, in consultation with the [Latino and Puerto
8073 Rican Affairs Commission, the African-American Affairs Commission]
8074 Commission on the Status of Protected Citizens, representatives from
8075 minority community-based organizations and any other state and local
8076 organizations deemed appropriate by the commissioner, shall develop
8077 and implement outreach efforts that target medically underserved
8078 children and adults, particularly Latino and other minority children
8079 and adults, to increase enrollment of such children and adults in the
8080 HUSKY Plan, Part A or Part B. Such efforts shall include, but not be
8081 limited to, developing culturally appropriate outreach materials,
8082 advertising through Latino media outlets and other minority media
8083 outlets, and the public education, outreach and recruitment activities
8084 described in subsections (a) to (c), inclusive, of this section.

8085 Sec. 260. Section 17b-748 of the general statutes is repealed and the
8086 following is substituted in lieu thereof (*Effective July 1, 2010*):

8087 There is established a Child Day Care Council consisting of the
8088 Commissioner of Public Health, the Commissioner of Social Services,
8089 the Commissioner of Children and Families, the Commissioner of
8090 Education and the Commissioner of Economic and Community
8091 Development or a representative of each designated by him in writing
8092 to serve as such representative, and sixteen other persons appointed by
8093 the Governor. Said council shall be within the Department of Social
8094 Services for administrative purposes only. Of the persons appointed by
8095 the Governor, one shall be from among those recommended by the
8096 Connecticut Association for Education of Young Children; one shall be
8097 a member of a community council; one shall be a member of a
8098 community action program; one shall be a member of a child
8099 development or early childhood education department of a
8100 Connecticut college or university; four shall be providers of child day
8101 care services, two of whom shall be family day care providers, and two
8102 shall be child day care center providers; one shall be from among those
8103 recommended by the [Permanent Commission on the Status of

8104 Women; one shall be from among those recommended by the
8105 Connecticut Commission on Children] Commission on the Status of
8106 Protected Citizens; one shall be from among those recommended by
8107 the American Academy of Pediatrics; one shall be a member of an
8108 advocacy group concerned with young children and their families; one
8109 shall be from among those recommended by the AFL-CIO Labor
8110 Council who is a member of organized labor; one shall be a member of
8111 the Connecticut Business and Industry Association; and two shall be
8112 parents, each of whom shall have a child enrolled in a child day care
8113 service. The members of the council shall serve without compensation
8114 but shall be reimbursed for necessary expenses incurred in the course
8115 of their duties. The chairperson and the vice-chairperson of the council
8116 shall be elected by the full membership of the council from among the
8117 persons appointed by the Governor and shall serve for a term of one
8118 year. The council shall meet at least ten times per year. Any appointed
8119 member who fails to attend three consecutive meetings or fails to
8120 attend fifty per cent of all meetings held during any calendar year shall
8121 be deemed to have resigned. The council shall recommend to the
8122 Commissioner of Public Health regulations which shall effectuate the
8123 purposes of this section and sections 17b-733, 19a-77, 19a-79, 19a-80,
8124 19a-82 to 19a-87, inclusive, and 19a-87b to 19a-87e, inclusive, including
8125 regulations relating to licensing, operation, program and professional
8126 qualifications of the staff of child day care centers, group day care
8127 homes and family day care homes and shall make recommendations to
8128 the Commissioner of Public Health on the administration of said
8129 sections. The Child Day Care Council shall also make
8130 recommendations to the Department of Social Services as the lead
8131 agency for day care on grants management and the planning and
8132 development of child day care services. In addition, the council shall
8133 provide guidelines for drop-in supplementary child care operations.
8134 Before making such recommendations, the council shall hold public
8135 hearings and invite suggestions from parents of children utilizing child
8136 day care services, as defined in section 19a-77, and from providers of
8137 such services and other interested parties. The Child Day Care Council
8138 shall study issues affecting child day care and make recommendations

8139 to the General Assembly. The council shall serve as an advisory
8140 committee to the Department of Social Services in the development of
8141 the state child care plan required pursuant to the Child Care
8142 Development and Improvement Act of 1990 and shall conduct biennial
8143 public hearings on such state plan.

8144 Sec. 261. Subsection (e) of section 19a-4j of the general statutes is
8145 repealed and the following is substituted in lieu thereof (*Effective July*
8146 *1, 2010*):

8147 (e) The Commissioner of Public Health shall submit an annual
8148 report concerning the activities of the office to the Governor, the
8149 General Assembly, the [Permanent Commission on the Status of
8150 Women established under section 46a-1, the Latino and Puerto Rican
8151 Affairs Commission established under section 2-120,] Commission on
8152 the Status of Protected Citizens established under section 501 of this
8153 act and the Indian Affairs Council established under section 47-59b,
8154 [and the Connecticut African-American Affairs Commission.] The
8155 office shall also hold community workshops and use other means to
8156 disseminate its findings state-wide.

8157 Sec. 262. Subsection (a) of section 19a-6g of the general statutes is
8158 repealed and the following is substituted in lieu thereof (*Effective July*
8159 *1, 2010*):

8160 (a) There is established a HealthFirst Connecticut Authority
8161 composed of the following members: Two appointed by the speaker of
8162 the House of Representatives, one of whom is a health care provider
8163 and one of whom represents businesses with fifty or more employees;
8164 two appointed by the president pro tempore of the Senate, one of
8165 whom has experience in community-based health care and one of
8166 whom represents businesses with fewer than fifty employees; one
8167 appointed by the majority leader of the House of Representatives who
8168 represents consumers; one appointed by the majority leader of the
8169 Senate who represents the interests of labor; one appointed by the
8170 minority leader of the House of Representatives who represents health

8171 insurance companies; one appointed by the minority leader of the
8172 Senate who represents hospitals; and two appointed by the Governor,
8173 one of whom advocates for health care quality or patient safety and
8174 one with experience in information technology. The Insurance
8175 Commissioner and the Commissioners of Public Health and Social
8176 Services or their designees, the Healthcare Advocate or the Healthcare
8177 Advocate's designee, the executive director of the [Permanent
8178 Commission on the Status of Women or the executive director's
8179 designee, the executive director of the African-American Affairs
8180 Commission or the executive director's designee, the executive director
8181 of the Latino and Puerto Rican Affairs Commission] Commission on
8182 the Status of Protected Citizens or the executive director's designee
8183 and the Comptroller or Comptroller's designee shall be ex-officio,
8184 nonvoting members.

8185 Sec. 263. Section 19a-125 of the general statutes is repealed and the
8186 following is substituted in lieu thereof (*Effective July 1, 2010*):

8187 There is established a State-Wide Adolescent Health Council. The
8188 council shall consist of the following members: The Commissioners of
8189 Public Health, Children and Families, Education, Higher Education
8190 and Social Services or their designees; the chairpersons of the joint
8191 standing committees of the General Assembly having cognizance of
8192 matters relating to public health and human services; a representative
8193 of the Commission on [Children; a representative of the Permanent
8194 Commission on the Status of Women] the Status of Protected Citizens;
8195 a representative of a school-based health center and a media specialist
8196 to be appointed by the Governor; a representative of the United Way
8197 of Connecticut and the Teen Pregnancy Prevention Coalition of
8198 Connecticut to be appointed by the president pro tempore of the
8199 Senate; a representative of the Mental Health Association and the
8200 Connecticut Chapter of the American Academy of Pediatrics to be
8201 appointed by the majority leader of the Senate; a representative of the
8202 Connecticut Chapter of the National Association of Social Workers to
8203 be appointed by the minority leader of the Senate; a representative of
8204 the Connecticut Association of Human Services and the Connecticut

8205 Conference of Municipalities to be appointed by the speaker of the
8206 House of Representatives; a representative of the Connecticut
8207 Association of Family Practitioners and the Connecticut Sexual Assault
8208 Crisis Center to be appointed by the majority leader of the House of
8209 Representatives; and a representative of the Connecticut Youth Service
8210 Association and the Connecticut Primary Care Association to be
8211 appointed by the minority leader of the House of Representatives. The
8212 chairperson and the vice-chairperson of the council shall be elected by
8213 the full membership of the council from among its membership. The
8214 council shall meet at regular intervals as determined by the
8215 chairperson. The members of the council shall serve without
8216 compensation. The council shall consult with and advise the
8217 Commissioners of Public Health, Social Services, Education and
8218 Children and Families concerning the coordination of service delivery
8219 to and health needs of teens. The council shall examine issues,
8220 including but not limited to, contributing factors of high risk
8221 behaviors, how multiple problems interrelate and strategies for
8222 prevention. The council shall make recommendations on facilitating
8223 federal, state and community action to address teen pregnancy, mental
8224 health, violence, substance abuse, sexually transmitted diseases,
8225 acquired immune deficiency syndrome and such other areas as the
8226 council determines are relevant to adolescent health needs. The council
8227 shall submit a report to the joint standing committees of the General
8228 Assembly having cognizance of matters relating to public health,
8229 human services and education, in accordance with the provisions of
8230 section 11-4a on or before June 30, 1994.

8231 Sec. 264. Subsection (a) of section 38a-1051 of the 2010 supplement
8232 to the general statutes is repealed and the following is substituted in
8233 lieu thereof (*Effective July 1, 2010*):

8234 (a) Whereas the General Assembly finds that: (1) Equal enjoyment of
8235 the highest attainable standard of health is a human right and a
8236 priority of the state, (2) research and experience demonstrate that
8237 inhabitants of the state experience barriers to the equal enjoyment of
8238 good health based on race, ethnicity, gender, national origin and

8239 linguistic ability, and (3) addressing such barriers, and others that may
8240 arise in the future, requires: The collection, analysis and reporting of
8241 information, the identification of causes, and the development and
8242 implementation of policy solutions that address health disparities
8243 while improving the health of the public as a whole therefore, there is
8244 established a Commission on Health Equity with the mission of
8245 eliminating disparities in health status based on race, ethnicity, gender
8246 and linguistic ability, and improving the quality of health for all of the
8247 state's residents. Such commission shall consist of the following
8248 commissioners, or their designees, and public members: (A) The
8249 Commissioners of Public Health, Mental Health and Addiction
8250 Services, Developmental Services, Social Services, Correction, Children
8251 and Families, and Education; (B) the dean of The University of
8252 Connecticut Health Center, or his designee; (C) the director of The
8253 University of Connecticut Health Center and Center for Public Health
8254 and Health Policy, or their designees; (D) the dean of the Yale
8255 University Medical School, or his designee; (E) the dean of Public
8256 Health and the School of Epidemiology at Yale University, or his
8257 designee; (F) one member appointed by the president pro tempore of
8258 the Senate, who shall be a member of an affiliate of the National Urban
8259 League; (G) one member appointed by the speaker of the House of
8260 Representatives, who shall be a member of the National Association
8261 for the Advancement of Colored People; (H) one member appointed
8262 by the majority leader of the House of Representatives, who shall be a
8263 member of the Black and Puerto Rican Caucus of the General
8264 Assembly; (I) one member appointed by the majority leader of the
8265 Senate with the advice of the Native American Heritage Advisory
8266 Council or the chairperson of the Indian Affairs Council, who shall be
8267 a representative of the Native American community; (J) one member
8268 appointed by the minority leader of the Senate, who shall be a
8269 representative of an advocacy group for Hispanics; (K) one member
8270 appointed by the minority leader of the House of Representatives, who
8271 shall be a representative of the state-wide Multicultural Health
8272 Network; (L) the chairperson of the [African-American Affairs
8273 Commission, or his or her designee; (M) the chairperson of the Latino

8274 and Puerto Rican Affairs Commission, or his or her designee; (N) the
8275 chairperson of the Permanent Commission on the Status of Women, or
8276 his or her designee; (O) the chairperson of the Asian Pacific American
8277 Affairs Commission] Commission on the Status of Protected Citizens,
8278 or his or her designee; [(P)] (M) the director of the Hispanic Health
8279 Council, or his or her designee; [(Q)] (N) the chairperson of the Office
8280 of the Healthcare Advocate, or his or her designee; and [(R)] (O) eight
8281 members of the public, representing communities facing disparities in
8282 health status based on race, ethnicity, gender and linguistic ability,
8283 who shall be appointed as follows: Two by the president pro tempore
8284 of the Senate, two by the speaker of the House of Representatives, two
8285 by the minority leader of the Senate, and two by the minority leader of
8286 the House of Representatives. Vacancies on the council shall be filled
8287 by the appointing authority.

8288 Sec. 265. Section 46a-4 of the 2010 supplement to the general statutes
8289 is repealed and the following is substituted in lieu thereof (*Effective July*
8290 *1, 2010*):

8291 (a) The [commission] Commission on the Status of Protected
8292 Citizens shall:

8293 (1) Focus its efforts on the following quality of life desired results
8294 for women of the state: (A) That all women of the state are healthy; (B)
8295 that all women of the state are safe; (C) that all women of the state
8296 achieve educational success; (D) that all women of the state are
8297 economically self-sufficient; and (E) that all women of the state are free
8298 from discrimination. The commission shall meet regularly to review
8299 matters pertaining to the achievement of the desired results described
8300 in subparagraphs (A) to (E), inclusive, of this subdivision and, not later
8301 than January first, annually, shall submit a status report concerning
8302 such desired results to the joint standing committee of the General
8303 Assembly having cognizance of appropriations. The commission shall
8304 develop (i) appropriate population-level indicators of the state's
8305 progress in achieving such desired results, and (ii) strategies that are
8306 intended to improve progress on such indicators through a process

8307 that is inclusive of all relevant partners, including, but not limited to,
8308 state and local government agencies, the faith community, the business
8309 sector, nonprofit organizations, advocacy groups and philanthropic
8310 organizations;

8311 (2) Make recommendations to the General Assembly and the
8312 Governor for new or enhanced policies, programs and services that
8313 will foster progress in achieving the desired results described in
8314 subdivision (1) of this subsection;

8315 (3) Review and comment on any proposed state legislation or
8316 recommendations that may affect women of the state and provide
8317 copies of any such comments to members of the General Assembly;

8318 (4) Advise the General Assembly and Governor concerning the
8319 coordination and administration of state programs that affect women
8320 of the state;

8321 (5) Gather and maintain current information regarding women of
8322 the state that can be used to better understand the status, condition
8323 and contributions of such women. Such information shall be included
8324 in the annual report described in subsection (b) of this section and shall
8325 be made available to legislators and other interested parties upon
8326 request;

8327 (6) Maintain a liaison between the women of the state and
8328 government agencies, including the General Assembly;

8329 (7) Conduct educational and outreach activities intended to raise
8330 awareness of critical issues for women of the state; and

8331 (8) Promote consideration of qualified women for all levels of
8332 leadership positions.

8333 (b) Not later than January first, annually, in accordance with section
8334 11-4a, the commission shall submit a report to the General Assembly
8335 that: (1) Identifies the quality of life desired results described in
8336 subdivision (1) of subsection (a) of this section, (2) displays current

8337 trend data for the indicators related to each such desired result area,
8338 (3) identifies barriers to progress on such indicators, (4) identifies
8339 strategies developed pursuant to subdivision (1) of subsection (a) of
8340 this section, and (5) describes performance measures for the
8341 commission, including measures of research, education and outreach,
8342 and partnership development.

8343 (c) In carrying out its responsibility to make recommendations to
8344 the General Assembly and the Governor on the need for legislation,
8345 policies, programs or services to improve the quality of life for the
8346 women of the state, the commission shall have the assistance of staff,
8347 as described in subsection (b) of section 46a-1. Any such
8348 recommendations shall be provided solely with the approval of a
8349 majority of the members of the commission. A majority of the
8350 members of the commission shall be required to approve any specific
8351 advocacy before the General Assembly or any state agency.

8352 Sec. 266. Section 46a-5 of the 2010 supplement to the general statutes
8353 is repealed and the following is substituted in lieu thereof (*Effective July*
8354 *1, 2010*):

8355 (a) The [commission] Commission on the Status of Protected
8356 Citizens may: (1) Request, and shall receive, from any state agency
8357 such information and assistance as the commission may require; (2)
8358 use such funds as may be available from federal, state or other sources
8359 and may enter into contracts to carry out the purposes of section 46a-4;
8360 (3) utilize voluntary and uncompensated services of private
8361 individuals, state or federal agencies and organizations as may, from
8362 time to time, be offered and needed; (4) recommend policies to federal
8363 agencies and political subdivisions of the state relative to the women of
8364 the state; (5) accept any gift, donation or bequest for the purpose of
8365 performing the duties described in section 46a-4; (6) hold public
8366 hearings; (7) establish task forces, as necessary, to perform the duties
8367 described in section 46a-4; (8) adopt regulations, in accordance with
8368 chapter 54, as it may deem necessary to carry out the duties described
8369 in section 46a-4; (9) inform leaders of business, education, state and

8370 local governments and the communications media of the nature and
8371 scope of the problems faced by women of the state, with a view to
8372 enlisting such persons' support in working toward solving such
8373 problems; (10) receive and refer to the Commission on Human Rights
8374 and Opportunities complaints of sex discrimination; and (11) hold fact
8375 finding hearings, and pursuant to that, subpoena witnesses and
8376 records, administer oaths and take the testimony of any persons under
8377 oath and require the production for examination of any books and
8378 papers relating to any matter under investigation or in question. The
8379 commission may, by regulation, establish a procedure for the issuance
8380 of subpoenas by individual commissioners. Refusal to obey a
8381 subpoena issued pursuant to this section shall constitute contempt
8382 punishable, upon the application of the authority issuing such
8383 subpoena, by the superior court for the judicial district of Hartford.

8384 (b) The commission may enter into any agreement with a state
8385 agency for the purpose of maximizing the receipt of federal funds by
8386 such state agency, provided such state agency shall utilize any federal
8387 funds received as a result of such agreement to perform those statutory
8388 duties of such agency that relate to such commission's duties. The
8389 commission may accept that portion of federal funds received by any
8390 such state agency as a result of any such agreement which federal law
8391 otherwise permits to be received by such commission.

8392 Sec. 267. Section 46a-128 of the general statutes is repealed and the
8393 following is substituted in lieu thereof (*Effective July 1, 2010*):

8394 The [commission] Commission on the Status of Protected Citizens
8395 shall review the general statutes with regard to matters involving
8396 children and shall on or before February 1, 1986, and annually
8397 thereafter on or before September first, make a report of its findings
8398 with regard to any matter before it with specific recommendations for
8399 legislation to the Governor and the General Assembly.

8400 Sec. 268. Subsection (a) of section 46a-129 of the 2010 supplement to
8401 the general statutes is repealed and the following is substituted in lieu

8402 thereof (*Effective July 1, 2010*):

8403 (a) The [commission] Commission on the Status of Protected
8404 Citizens shall:

8405 (1) Focus its efforts on the following quality of life desired results
8406 for children of the state: (A) That all children of the state are healthy;
8407 (B) that all children of the state are safe; (C) that all children of the state
8408 achieve educational success; (D) that all children of the state are free
8409 from poverty; and (E) that all children of the state are free from
8410 discrimination. The commission shall meet regularly to review matters
8411 pertaining to the achievement of the desired results described in
8412 subparagraphs (A) to (E), inclusive, of this subdivision and, not later
8413 than January first, annually, shall submit a status report concerning
8414 such desired results to the joint standing committee of the General
8415 Assembly having cognizance of appropriations. The commission shall
8416 develop (i) appropriate population-level indicators of the state's
8417 progress in achieving such desired results, and (ii) strategies that are
8418 intended to improve progress on such indicators through a process
8419 that is inclusive of all relevant partners, including, but not limited to,
8420 state and local government agencies, the faith community, the business
8421 sector, nonprofit organizations, advocacy groups and philanthropic
8422 organizations;

8423 (2) Make recommendations to the General Assembly and the
8424 Governor for new or enhanced policies, programs and services that
8425 will foster progress in achieving the desired results described in
8426 subdivision (1) of this subsection;

8427 (3) Review and comment on any proposed state legislation or
8428 recommendations that may affect the children of the state and provide
8429 copies of any such comments to members of the General Assembly;

8430 (4) Advise the General Assembly and Governor concerning the
8431 coordination and administration of state programs that affect the
8432 children of the state;

8433 (5) Gather and maintain current information regarding the children
8434 of the state that can be used to better understand the status, condition,
8435 and contributions of such children. Such information shall be included
8436 in the annual report described in subsection (b) of this section and shall
8437 be made available to legislators and other interested parties upon
8438 request;

8439 (6) Maintain a liaison between the children of the state and
8440 government agencies, including the General Assembly; and

8441 (7) Conduct educational and outreach activities intended to raise
8442 awareness of critical issues for the children of the state.

8443 Sec. 269. Subsection (a) of section 46a-130 of the 2010 supplement to
8444 the general statutes is repealed and the following is substituted in lieu
8445 thereof (*Effective July 1, 2010*):

8446 (a) The [commission] Commission on the Status of Protected
8447 Citizens may: (1) Request, and shall receive, from any state agency
8448 such information and assistance as the commission may require; (2)
8449 use such funds as may be available from federal, state or other sources
8450 and may enter into contracts to carry out the purposes of section 46a-
8451 129; (3) utilize voluntary and uncompensated services of private
8452 individuals, state or federal agencies and organizations as may, from
8453 time to time, be offered and needed; (4) recommend policies to federal
8454 agencies and political subdivisions of the state relative to the children
8455 of the state; (5) accept any gift, donation or bequest for the purpose of
8456 performing the duties described in section 46a-129; (6) hold public
8457 hearings; (7) establish task forces, as necessary, to perform the duties
8458 described in section 46a-129; (8) adopt regulations, in accordance with
8459 chapter 54, as it may deem necessary to carry out the duties described
8460 in section 46a-129; and (9) inform leaders of business, education, state
8461 and local governments and the communications media of the nature
8462 and scope of the problems faced by children of the state, with a view to
8463 enlisting such persons' support in working toward solving such
8464 problems.

8465 Sec. 270. Subsections (a) to (c), inclusive, of section 46a-170 of the
8466 general statutes are repealed and the following is substituted in lieu
8467 thereof (*Effective July 1, 2010*):

8468 (a) There is established a Trafficking in Persons Council that shall be
8469 within the [Permanent] Commission on the Status of [Women]
8470 Protected Citizens for administrative purposes only.

8471 (b) The council shall consist of the following members: The Attorney
8472 General, the Chief State's Attorney, the Chief Public Defender, the
8473 Commissioner of Public Safety, the Labor Commissioner, the
8474 Commissioner of Social Services, the Commissioner of Public Health,
8475 the Commissioner of Mental Health and Addiction Services, the
8476 Commissioner of Children and Families, the Child Advocate, the
8477 Victim Advocate, the chairperson of the Commission on [Children, the
8478 chairperson of the Permanent Commission on the Status of Women,
8479 the chairperson of the Latino and Puerto Rican Affairs Commission,
8480 the chairperson of the African-American Affairs Commission] the
8481 Status of Protected Citizens, three representatives of the Judicial
8482 Branch appointed by the Chief Court Administrator, one of whom
8483 shall represent the Office of Victim Services and one of whom shall
8484 represent the Court Support Services Division, and a municipal police
8485 chief appointed by the Connecticut Police Chiefs Association, or a
8486 representative of any such member who has been designated in
8487 writing by such member to serve as such member's representative, and
8488 seven public members appointed as follows: The Governor shall
8489 appoint one member who shall represent Connecticut Sexual Assault
8490 Crisis Services, Inc., the president pro tempore of the Senate shall
8491 appoint one member who shall represent an organization that
8492 provides civil legal services to low-income individuals, the speaker of
8493 the House of Representatives shall appoint one member who shall
8494 represent the Connecticut Coalition Against Domestic Violence, the
8495 majority leader of the Senate shall appoint one member who shall
8496 represent an organization that deals with behavioral health needs of
8497 women and children, the majority leader of the House of
8498 Representatives shall appoint one member who shall represent an

8499 organization that advocates on social justice and human rights issues,
8500 the minority leader of the Senate shall appoint one member who shall
8501 represent the Connecticut Immigrant and Refugee Coalition, and the
8502 minority leader of the House of Representatives shall appoint one
8503 member who shall represent the Asian-American community.

8504 (c) The chairperson of the [Permanent] Commission on the Status of
8505 [Women] Protected Citizens shall serve as chairperson of the council.
8506 The members of the council shall serve without compensation but shall
8507 be reimbursed for necessary expenses incurred in the performance of
8508 their duties.

8509 Sec. 271. Subsection (a) of section 51-10c of the general statutes is
8510 repealed and the following is substituted in lieu thereof (*Effective July*
8511 *1, 2010*):

8512 (a) There is established a Commission on Racial and Ethnic
8513 Disparity in the Criminal Justice System. The commission shall consist
8514 of the Chief Court Administrator, the Chief State's Attorney, the Chief
8515 Public Defender, the Commissioner of Public Safety, the Commissioner
8516 of Correction, the Commissioner of Children and Families, the Child
8517 Advocate, the Victim Advocate, the chairperson of the Board of
8518 Pardons and Paroles, the chairperson of the [African-American Affairs
8519 Commission, the chairperson of the Latino and Puerto Rican Affairs]
8520 Commission on the Status of Protected Citizens, or their designees, a
8521 representative of municipal police chiefs, a representative of a coalition
8522 representing police and correctional officers, six members appointed
8523 one each by the president pro tempore of the Senate, the speaker of the
8524 House of Representatives, the majority leader of the Senate, the
8525 majority leader of the House of Representatives, the minority leader of
8526 the Senate and the minority leader of the House of Representatives,
8527 and two members appointed by the Governor. The Chief Court
8528 Administrator or said administrator's designee shall serve as
8529 chairperson of the commission. The commission shall meet at such
8530 times as it deems necessary.

8531 Sec. 272. (NEW) (*Effective October 1, 2010*) (a) The Department of
8532 Administrative Services shall assume all responsibilities of the
8533 Department of Public Works pursuant to any provision of the general
8534 statutes. The transfer of functions, powers, duties, obligations,
8535 including, but not limited to, contract obligations, the continuance of
8536 orders and regulations, the effect upon pending actions and
8537 proceedings, the completion of unfinished business, and the transfer of
8538 records and property between the Department of Public Works, as said
8539 department existed immediately prior to October 1, 2010, and the
8540 Department of Administrative Services shall be governed by the
8541 provisions of subsections (a) to (d), inclusive, and subsection (f) of
8542 section 4-38d of the general statutes and sections 4-38e and 4-39 of the
8543 general statutes.

8544 (b) Wherever the words "Department of Public Works" are used or
8545 referred to in any public or special acts, the words "Department of
8546 Administrative Services" shall be substituted in lieu thereof.

8547 (c) Wherever the terms "Commissioner of Public Works" or "Public
8548 Works Commissioner" are used or referred to in any public or special
8549 acts, the term "Commissioner of Administrative Services" shall be
8550 substituted in lieu thereof.

8551 (d) Any order or regulation of the Department of Public Works,
8552 which is in force on October 1, 2010, shall continue in force and effect
8553 as an order or regulation of the Department of Administrative Services
8554 until amended, repealed or superseded pursuant to law. Where any
8555 order or regulation of said departments conflict, the Commissioner of
8556 Administrative Services may implement policies and procedures
8557 consistent with the provisions of this act while in the process of
8558 adopting the policy or procedure in regulation form, provided notice
8559 of intention to adopt regulations is printed in the Connecticut Law
8560 Journal within twenty days of implementation. The policy or
8561 procedure shall be valid until the time final regulations are effective.

8562 Sec. 273. (NEW) (*Effective October 1, 2010*) On and after October 1,

2010, (1) "Commissioner of Administrative Services" shall be substituted for "Commissioner of Public Works" or "Public Works Commissioner", and (2) "Department of Administrative Services" shall be substituted for "Department of Public Works", in the following sections of the general statutes: 1-205, 1-210, 2-71h, 3-10, 3-14b, 3-20, 3-21d, 4-61, 4-67g, 4-77b, 4-87, 4-89, 4-142b, 4a-62, 4b-1, 4b-1a, 4b-2, 4b-3, 4b-4, 4b-11, 4b-12, 4b-13, 4b-16, 4b-17, 4b-21, 4b-22a, 4b-23, 4b-24, 4b-24a, 4b-25, 4b-27, 4b-29, 4b-30, 4b-30a, 4b-33, 4b-34, 4b-35, 4b-46, 4b-51, 4b-51a, 4b-52, 4b-53, 4b-54, 4b-55, 4b-55a, 4b-56, 4b-60, 4b-62, 4b-63, 4b-65, 4b-66a, 4b-67, 4b-68, 4b-69, 4b-70, 4b-71, 4b-72, 4b-73, 4b-74, 4b-76, 4b-91, 4b-100, 4b-100a, 4b-101a, 4b-102, 4b-103, 4b-130, 4b-132, 4b-133, 4b-134, 4b-135, 5-142, 7-323p, 8-19, 8-37y, 8-206a, 10-283b, 10-284, 10a-4a, 10a-72, 10a-89, 10a-90, 10a-91, 10a-91c, 10a-91d, 10a-150, 13a-73, 13a-80i, 13b-20n, 13b-42, 13b-55, 16a-37u, 16a-37v, 16a-38, 16a-38a, 16a-38b, 16a-38d, 16a-38h, 16a-38i, 16a-38j, 16a-38k, 16a-38l, 16a-38m, 16a-39, 17a-27, 17a-27c, 17a-27d, 17a-451b, 17b-655, 17b-739, 18-31b, 20-68, 20-311b, 20-503, 22-64, 22a-6, 22a-12, 22a-324, 22a-354i, 22a-439a, 22a-459, 26-3, 27-45, 27-131, 28-1b, 29-251c, 31-57, 31-250, 32-6, 32-228, 32-612, 32-613, 32-655a, 32-656, 45a-80, 46a-29, 49-41b, 51-27a, 51-27c, 51-27d, 51-51k, 51-279.

Sec. 274. Section 4-5 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

As used in sections 4-6, 4-7 and 4-8, the term "department head" means Secretary of the Office of Policy and Management, Commissioner of Administrative Services, Commissioner of Revenue Services, Banking Commissioner, Commissioner of Children and Families, Commissioner of Consumer Protection, Commissioner of Correction, Commissioner of Economic and Community Development, State Board of Education, Commissioner of Emergency Management and Homeland Security, Commissioner of Environmental Protection, Commissioner of Agriculture, Commissioner of Public Health, Insurance Commissioner, Labor Commissioner, Liquor Control Commission, Commissioner of Mental Health and Addiction Services,

8597 Commissioner of Public Safety, Commissioner of Social Services,
8598 Commissioner of Developmental Services, Commissioner of Motor
8599 Vehicles, Commissioner of Transportation, [Commissioner of Public
8600 Works,] Commissioner of Veterans' Affairs, Chief Information Officer,
8601 the chairperson of the Public Utilities Control Authority, the executive
8602 director of the Board of Education and Services for the Blind, the
8603 executive director of the Connecticut Commission on Culture and
8604 Tourism, and the executive director of the Office of Military Affairs. As
8605 used in sections 4-6 and 4-7, "department head" also means the
8606 Commissioner of Education.

8607 Sec. 275. Section 4-38c of the general statutes is repealed and the
8608 following is substituted in lieu thereof (*Effective October 1, 2010*):

8609 There shall be within the executive branch of state government the
8610 following departments: Office of Policy and Management, Department
8611 of Administrative Services, Department of Revenue Services,
8612 Department of Banking, Department of Agriculture, Department of
8613 Children and Families, Department of Consumer Protection,
8614 Department of Correction, Department of Economic and Community
8615 Development, State Board of Education, Department of Emergency
8616 Management and Homeland Security, Department of Environmental
8617 Protection, Department of Public Health, Board of Governors of
8618 Higher Education, Insurance Department, Labor Department,
8619 Department of Mental Health and Addiction Services, Department of
8620 Developmental Services, Department of Public Safety, Department of
8621 Social Services, Department of Transportation, Department of Motor
8622 Vehicles, Department of Veterans' Affairs [, Department of Public
8623 Works] and Department of Public Utility Control.

8624 Sec. 276. Subsection (b) of section 4a-59a of the general statutes is
8625 repealed and the following is substituted in lieu thereof (*Effective*
8626 *October 1, 2010*):

8627 (b) Notwithstanding the provisions of subsection (a) of this section,
8628 the [Commissioners] Commissioner of Administrative Services [and

8629 Public Works] may, for a period of one year from the date such
8630 contract would otherwise expire, extend any contract in effect on May
8631 1, 2005, with a value of fifty thousand dollars or more per year, to
8632 perform any of the following services for the state: Janitorial, building
8633 maintenance, security and food and beverage. Any such extension
8634 shall include any applicable increase in the standard wage and the
8635 payroll burden to administer the standard wage, as established by the
8636 Labor Department.

8637 Sec. 277. Subsections (k) and (l) of section 4a-100 of the 2010
8638 supplement to the general statutes are repealed and the following is
8639 substituted in lieu thereof (*Effective October 1, 2010*):

8640 (k) (1) Any substantial evidence of fraud in obtaining or
8641 maintaining prequalification or any materially false statement in the
8642 application, update statement or update bid statement may, in the
8643 discretion of the awarding authority, result in termination of any
8644 contract awarded the contractor by the awarding authority. The
8645 awarding authority shall provide written notice to the commissioner of
8646 such false statement not later than thirty days after discovering such
8647 false statement. The commissioner shall provide written notice of such
8648 false statement to [the Commissioner of Public Works,] the
8649 Commissioner of Consumer Protection and the President of The
8650 University of Connecticut not later than thirty days after discovering
8651 such false statement or receiving such notice.

8652 (2) The commissioner shall deny or revoke the prequalification of
8653 any contractor or substantial subcontractor if the commissioner finds
8654 that the contractor or substantial subcontractor, or a principal or key
8655 personnel of such contractor or substantial contractor, within the past
8656 five years (A) has included any materially false statement in a
8657 prequalification application, update statement or update bid
8658 statement, (B) has been convicted of, entered a plea of guilty or nolo
8659 contendere for, or admitted to, a crime related to the procurement or
8660 performance of any public or private construction contract, or (C) has
8661 otherwise engaged in fraud in obtaining or maintaining

8662 prequalification. Any revocation made pursuant to this subsection
8663 shall be made only after an opportunity for a hearing. Any contractor
8664 or substantial subcontractor whose prequalification has been revoked
8665 pursuant to this subsection shall be disqualified for a period of two
8666 years after which the contractor or substantial subcontractor may
8667 reapply for prequalification, except that a contractor or substantial
8668 subcontractor whose prequalification has been revoked on the basis of
8669 conviction of a crime or engaging in fraud shall be disqualified for a
8670 period of five years after which the contractor or substantial
8671 subcontractor may reapply for prequalification. The commissioner
8672 shall not prequalify a contractor or substantial subcontractor whose
8673 prequalification has been revoked pursuant to this subdivision until
8674 the expiration of said two-year, five-year, or other applicable
8675 disqualification period and the commissioner is satisfied that the
8676 matters that gave rise to the revocation have been eliminated or
8677 remedied.

8678 (l) The commissioner shall provide written notice of any revocation,
8679 disqualification, reduction in classification or capacity rating or
8680 reinstated prequalification to [the Commissioner of Public Works,] the
8681 Commissioner of Consumer Protection and the President of The
8682 University of Connecticut not later than thirty days after any final
8683 determination.

8684 Sec. 278. Subsection (a) of section 4b-15 of the general statutes is
8685 repealed and the following is substituted in lieu thereof (*Effective*
8686 *October 1, 2010*):

8687 (a) Each state agency having care, control and supervision of state
8688 property, including the Judicial Department and the Joint Committee
8689 on Legislative Management of the General Assembly, shall prepare on
8690 or before October 1, 1990, and thereafter periodically update, in
8691 consultation with the Commissioners of Environmental Protection and
8692 [Public Works] Administrative Services, a plan for each facility under
8693 its care, control or supervision to (1) reduce the use of disposable and
8694 single-use products, in accordance with the plan adopted by the

8695 Commissioner of Administrative Services pursuant to section 4a-67b,
8696 (2) separate and collect items designated as either suitable or required
8697 for recycling pursuant to section 22a-241b. Such plan shall establish a
8698 schedule for implementation of the policies recommended in the plan.

8699 Sec. 279. Subsection (a) of section 4b-136 of the general statutes is
8700 repealed and the following is substituted in lieu thereof (*Effective*
8701 *October 1, 2010*):

8702 (a) There is established a State-Wide Security Management Council.
8703 The council shall consist of the Commissioner of Public Safety, the
8704 Commissioner of Administrative Services, the Commissioner of
8705 Mental Health and Addiction Services, [the Commissioner of Public
8706 Works,] the Commissioner of Emergency Management and Homeland
8707 Security, the Secretary of the Office of Policy and Management, the
8708 Chief Court Administrator, an attorney appointed by the
8709 Commissioner of Public Works, the executive director of the Joint
8710 Committee on Legislative Management, a representative of the
8711 Governor, a representative of the State Employees Bargaining Agent
8712 Coalition and the president of the Connecticut State Police Union or
8713 the president's designee. The Commissioner of Public Works shall
8714 serve as chairperson of the council. Each council member shall provide
8715 technical assistance in the member's area of expertise, as required by
8716 the council.

8717 Sec. 280. Subsection (a) of section 4d-90 of the general statutes is
8718 repealed and the following is substituted in lieu thereof (*Effective*
8719 *October 1, 2010*):

8720 (a) There is established a Geospatial Information Systems Council
8721 consisting of the following members, or their designees: (1) The
8722 Secretary of the Office of Policy and Management; (2) the
8723 Commissioners of Environmental Protection, Economic and
8724 Community Development, Transportation, Public Safety, Public
8725 Health, [Public Works] Administrative Services, Agriculture,
8726 Emergency Management and Homeland Security and Social Services;

8727 (3) the Chief Information Officer of the Department of Information
8728 Technology; (4) the Chancellor of the Connecticut State University
8729 System; (5) the president of The University of Connecticut; (6) the
8730 Executive Director of the Connecticut Siting Council; (7) one member
8731 who is a user of geospatial information systems appointed by the
8732 president pro tempore of the Senate representing a municipality with a
8733 population of more than sixty thousand; (8) one member who is a user
8734 of geospatial information systems appointed by the minority leader of
8735 the Senate representing a regional planning agency; (9) one member
8736 who is a user of geospatial information systems appointed by the
8737 Governor representing a municipality with a population of less than
8738 sixty thousand but more than thirty thousand; (10) one member who is
8739 a user of geospatial information systems appointed by the speaker of
8740 the House of Representatives representing a municipality with a
8741 population of less than thirty thousand; (11) one member appointed by
8742 the minority leader of the House of Representatives who is a user of
8743 geospatial information systems; (12) the chairperson of the Public
8744 Utility Control Authority; (13) the Adjutant General of the Military
8745 Department; and (14) any other persons the council deems necessary
8746 appointed by the council. The Governor shall select the chairperson
8747 from among the members. The chairperson shall administer the affairs
8748 of the council. Vacancies shall be filled by appointment by the
8749 authority making the appointment. Members shall receive no
8750 compensation for their services on said council, but shall be
8751 reimbursed for necessary expenses incurred in the performance of
8752 their duties. Said council shall hold one meeting each calendar quarter
8753 and such additional meetings as may be prescribed by council rules. In
8754 addition, special meetings may be called by the chairperson or by any
8755 three members upon delivery of forty-eight hours written notice to
8756 each member.

8757 Sec. 281. Section 4e-8 of the general statutes is repealed and the
8758 following is substituted in lieu thereof (*Effective October 1, 2010*):

8759 There is established a Contracting Standards Advisory Council,
8760 which shall consist of representatives from the Office of Policy and

8761 Management, Departments of Administrative Services, Transportation
8762 [, Public Works] and Information Technology and representatives of at
8763 least three additional contracting agencies, including at least one
8764 human services related state agency, designated by the Governor. The
8765 Chief Procurement Officer shall be a member of the council and serve
8766 as chairperson. The advisory council shall meet at least four times per
8767 year to discuss state procurement issues and to make
8768 recommendations for improvement of the procurement processes to
8769 the State Contracting Standards Board. The advisory council may
8770 conduct studies, research and analyses and make reports and
8771 recommendations with respect to subjects or matters within the
8772 jurisdiction of the State Contracting Standards Board.

8773 Sec. 282. Subsection (d) of section 10-292 of the general statutes is
8774 repealed and the following is substituted in lieu thereof (*Effective*
8775 *October 1, 2010*):

8776 (d) If the Department of Administrative Services [or the Department
8777 of Public Works] makes a state contract available for use by towns or
8778 regional school districts, a town or regional school district may use
8779 such contract, provided the actual estimate for the school building
8780 project under the state contract is not given until receipt by the town or
8781 regional school district of approval of the plan pursuant to this section.

8782 Sec. 283. Subsection (b) of section 16a-35c of the general statutes is
8783 repealed and the following is substituted in lieu thereof (*Effective*
8784 *October 1, 2010*):

8785 (b) The Secretary of the Office of Policy and Management, in
8786 consultation with the Commissioners of Economic and Community
8787 Development, Environmental Protection, [Public Works]
8788 Administrative Services, Agriculture, Transportation, the chairman of
8789 the Transportation Strategy Board, the regional planning agencies in
8790 the state and any other persons or entities the secretary deems
8791 necessary shall develop recommendations for delineation of the
8792 boundaries of priority funding areas in the state and for revisions

8793 thereafter. In making such recommendations the secretary shall
8794 consider areas designated as regional centers, growth areas,
8795 neighborhood conservation areas and rural community centers on the
8796 state plan of conservation and development, redevelopment areas,
8797 distressed municipalities, as defined in section 32-9p; targeted
8798 investment communities, as defined in section 32-222; public
8799 investment communities, as defined in section 7-545, enterprise zones,
8800 designated by the Commissioner of Economic and Community
8801 Development under section 32-70, corridor management areas
8802 identified in the state plan of conservation and development and the
8803 principles of the Transportation Strategy Board approved under
8804 section 13b-57h. The secretary shall submit the recommendations to
8805 the Continuing Legislative Committee on State Planning and
8806 Development established pursuant to section 4-60d for review when
8807 the state plan of conservation and development is submitted to such
8808 committee in accordance with section 16a-29. The committee shall
8809 report its recommendations to the General Assembly at the time said
8810 state plan is submitted to the General Assembly under section 16a-30.
8811 The boundaries shall become effective upon approval of the General
8812 Assembly.

8813 Sec. 284. Section 22a-26a of the general statutes is repealed and the
8814 following is substituted in lieu thereof (*Effective October 1, 2010*):

8815 The Department of Environmental Protection, in consultation with
8816 the Departments of Transportation and [Public Works] Administrative
8817 Services, The University of Connecticut and other state agencies with
8818 jurisdiction over state-owned properties, shall identify state-owned
8819 properties which provide public access to the waters of Long Island
8820 Sound and, in addition, identify other properties which the state may
8821 acquire to provide public access to the waters of Long Island Sound.
8822 The properties to be identified shall include highway easements,
8823 bridge crossings, university-owned lands, railroad rights-of-way and
8824 other coastal or riverfront properties owned or controlled by the state
8825 or by others. State-owned properties which are used for non-water-
8826 dependent activities shall be assessed for reclassification to public

8827 water-dependent use or shared use. The department shall submit a
8828 report of its findings to the joint standing committee of the General
8829 Assembly having cognizance of matters concerning the environment
8830 on or before October 1, 1992, and the Comptroller shall cause such
8831 findings to be added to and made a part of the inventory of state
8832 property required pursuant to the provisions of section 4-36.

8833 Sec. 285. Subsection (c) of section 31-57c of the general statutes is
8834 repealed and the following is substituted in lieu thereof (*Effective*
8835 *October 1, 2010*):

8836 (c) The Commissioner of [Public Works] Administrative Services
8837 may disqualify any contractor, for up to two years, from bidding on,
8838 applying for, or participating as a subcontractor under, contracts with
8839 the state, acting through any of its departments, commissions or other
8840 agencies, except [the Department of Administrative Services,] the
8841 Department of Transportation and the constituent units of the state
8842 system of higher education, for one or more causes set forth under
8843 subsection (d) of this section. The commissioner may initiate a
8844 disqualification proceeding only after consulting with the contract
8845 awarding agency, if any, and the Attorney General and shall provide
8846 notice and an opportunity for a hearing to the contractor who is the
8847 subject of the proceeding. The hearing shall be conducted in
8848 accordance with the contested case procedures set forth in chapter 54.
8849 The commissioner shall issue a written decision within ninety days of
8850 the last date of such hearing and state in the decision the reasons for
8851 the action taken and, if the contractor is being disqualified, the period
8852 of such disqualification. The existence of a cause for disqualification
8853 shall not be the sole factor to be considered in determining whether the
8854 contractor shall be disqualified. In determining whether to disqualify a
8855 contractor, the commissioner shall consider the seriousness of the
8856 contractor's acts or omissions and any mitigating factors. The
8857 commissioner shall send the decision to the contractor by certified
8858 mail, return receipt requested. The written decision shall be a final
8859 decision for the purposes of sections 4-180 and 4-183.

8860 Sec. 286. Section 31-390 of the general statutes is repealed and the
8861 following is substituted in lieu thereof (*Effective October 1, 2010*):

8862 (a) The Labor Commissioner and the Commissioners of Economic
8863 and Community Development and [Public Works] Administrative
8864 Services shall have the right of inspection of any such project at any
8865 time.

8866 (b) The Labor Commissioner and the Commissioners of Economic
8867 and Community Development and [Public Works] Administrative
8868 Services and the Secretary of the Office of Policy and Management are
8869 authorized to make orders, establish guidelines and adopt regulations
8870 under the provisions of chapter 54 with respect to the implementation
8871 of this chapter.

8872 (c) At the request of the commissioners, any agency or department
8873 of the executive branch shall advise and assist the commissioners in
8874 the implementation of this chapter.

8875 Sec. 287. (NEW) (*Effective October 1, 2010*) (a) The Department of
8876 Transportation shall assume all responsibilities of the Department of
8877 Motor Vehicles pursuant to any provision of the general statutes. The
8878 transfer of functions, powers, duties, obligations, including, but not
8879 limited to, contract obligations, the continuance of orders and
8880 regulations, the effect upon pending actions and proceedings, the
8881 completion of unfinished business, and the transfer of records and
8882 property between the Department of Motor Vehicles, as said
8883 department existed immediately prior to October 1, 2010, and the
8884 Department of Transportation shall be governed by the provisions of
8885 subsections (a) to (d), inclusive, and subsection (f) of section 4-38d of
8886 the general statutes and sections 4-38e and 4-39 of the general statutes.

8887 (b) On and after October 1, 2010, wherever the term "Department of
8888 Motor Vehicles" is used or referred to in any public or special acts, the
8889 term "Department of Transportation" shall be substituted in lieu
8890 thereof.

8891 (c) On and after October 1, 2010, wherever the term "Commissioner
8892 of Motor Vehicles" is used or referred to in any public or special acts,
8893 the term "Commissioner of Transportation" shall be substituted in lieu
8894 thereof.

8895 (d) Any order or regulation of the Department of Motor Vehicles,
8896 which is in force on October 1, 2010, shall continue in force and effect
8897 as an order or regulation of the Department of Transportation until
8898 amended, repealed or superseded pursuant to law. Where any order or
8899 regulation of said departments conflict, the Commissioner of
8900 Transportation may implement policies and procedures consistent
8901 with the provisions of this section, section 502 of this act and section 4-
8902 5, 4-38c, 12-430, 12-431, 13a-37, 13b-69, 13b-92, 14-11c, 14-21w, 14-96p,
8903 14-100a, 14-108a, 14-212e, 14-267a, 14-270e, 14-298, 15-140c and 17a-667
8904 of the general statutes, as amended by this act, while in the process of
8905 adopting the policy or procedure in regulation form, provided notice
8906 of intention to adopt regulations is printed in the Connecticut Law
8907 Journal within twenty days of implementation. The policy or
8908 procedure shall be valid until the time final regulations are effective.

8909 Sec. 288. (NEW) (*Effective October 1, 2010*) On and after October 1,
8910 2010, "Commissioner of Transportation" shall be substituted for
8911 "Commissioner of Motor Vehicles" and "Department of
8912 Transportation" shall be substituted for "Department of Motor
8913 Vehicles" in the following sections of the general statutes: 1-1h, 1-1i, 1-
8914 17a, 1-84, 1-217, 2-50a, 5-142, 5-145b, 7-152b, 9-19b, 9-19h, 9-19i, 9-23g,
8915 9-35, 10-145, 10-221c, 10-298, 12-41, 12-57, 12-57a, 12-71b, 12-241, 12-
8916 412, 12-458d, 12-458g, 12-475, 12-491, 12-692, 13b-59, 13b-61, 13b-61b,
8917 13b-83, 13b-89, 13b-96, 13b-97, 13b-99, 13b-106, 13b-410a, 13b-410b, 14-
8918 1, 14-2, 14-3, 14-4, 14-4a, 14-5, 14-5b, 14-5c, 14-7, 14-9a, 14-10, 14-11a, 14-
8919 11b, 14-11d, 14-11i, 14-12, 14-12a, 14-12g, 14-12h, 14-12i, 14-12j, 14-12k,
8920 14-12q, 14-12r, 14-15, 14-16a, 14-16c, 14-19a, 14-19b, 14-20, 14-20a, 14-
8921 20b, 14-20c, 14-21d, 14-21e, 14-21f, 14-21g, 14-21h, 14-21i, 14-21j, 14-21k,
8922 14-21l, 14-21n, 14-21o, 14-21q, 14-21r, 14-21s, 14-21u, 14-21v, 14-22f, 14-
8923 24, 14-25a, 14-25c, 14-25d, 14-29, 14-33, 14-33a, 14-34a, 14-35a, 14-36, 14-
8924 36d, 14-36e, 14-36f, 14-36g, 14-36h, 14-36i, 14-36j, 14-36k, 14-37a, 14-37b,

8925 14-38a, 14-39, 14-41, 14-41a, 14-42a, 14-44e, 14-44i, 14-44n, 14-44o, 14-45,
 8926 14-45a, 14-46, 14-46a, 14-48a, 14-48b, 14-48c, 14-49b, 14-50a, 14-50b, 14-
 8927 51, 14-52, 14-52b, 14-60, 14-61, 14-61a, 14-61b, 14-62, 14-62a, 14-63, 14-
 8928 65a, 14-65g, 14-65i, 14-65j, 14-65k, 14-66b, 14-67a, 14-67i, 14-67j, 14-67l,
 8929 14-67m, 14-67o, 14-67p, 14-67q, 14-67u, 14-67v, 14-67w, 14-70, 14-73, 14-
 8930 79, 14-80, 14-80a, 14-80h, 14-96aa, 14-96cc, 14-98a, 14-99g, 14-99h, 14-
 8931 100b, 14-102a, 14-103, 14-103a, 14-103d, 14-106a, 14-111a, 14-111b, 14-
 8932 111e, 14-111f, 14-111g, 14-111h, 14-111i, 14-111k, 14-111l, 14-111m, 14-
 8933 111n, 14-111o, 14-111p, 14-115a, 14-137a, 14-149, 14-149a, 14-150, 14-
 8934 151, 14-151a, 14-152, 14-153, 14-156, 14-161, 14-163, 14-163c, 14-163d,
 8935 14-164a, 14-164b, 14-164c, 14-164h, 14-164i, 14-164k, 14-164l, 14-165, 14-
 8936 166, 14-191, 14-192, 14-211a, 14-213b, 14-223, 14-227a, 14-227b, 14-227f,
 8937 14-227j, 14-227k, 14-253a, 14-254, 14-260n, 14-261, 14-261a, 14-261b, 14-
 8938 262, 14-269, 14-270c, 14-270f, 14-271a, 14-273, 14-274, 14-275, 14-275c,
 8939 14-276, 14-276a, 14-280, 14-281c, 14-282, 14-282a, 14-283, 14-286, 14-
 8940 289d, 14-289g, 14-289j, 14-291, 14-292, 14-293b, 14-300g, 14-307, 14-366,
 8941 14-379, 15-67, 15-125, 15-140o, 15-144, 15-145a, 15-146, 15-147, 15-148,
 8942 15-151, 15-154, 15-155, 15-155e, 15-156, 16a-6, 16a-103, 17a-28, 17b-30,
 8943 17b-137, 19a-181, 20-138c, 20-427a, 21-10, 21-67, 22a-27v, 22a-201a, 22a-
 8944 201b, 22a-201c, 26-85, 29-23a, 29-143a, 29-322, 29-332, 29-339, 31-293a,
 8945 36a-306, 36a-317b, 38a-329, 38a-343, 38a-343a, 38a-356, 38a-362, 38a-682,
 8946 38a-683, 42-133r, 42-133cc, 42-150u, 42-160, 42-179, 42-181, 42-182, 42-
 8947 183, 46b-124, 46b-150f, 46b-220, 49-61, 51-164n, 51-164o, 51-222a, 52-56,
 8948 52-62, 52-63, 52-192, 53-215a, 53a-19, 53a-22, 53a-23, 53a-56b, 53a-60d,
 8949 53a-167a, 53a-167b, 53a-167c, 54-1q, 54-56g, 54-76l, 54-142g and 54-
 8950 142q.

8951 Sec. 289. Section 4-5 of the 2010 supplement to the general statutes is
 8952 repealed and the following is substituted in lieu thereof (*Effective*
 8953 *October 1, 2010*):

8954 As used in sections 4-6, 4-7 and 4-8, the term "department head"
 8955 means Secretary of the Office of Policy and Management,
 8956 Commissioner of Administrative Services, Commissioner of Revenue
 8957 Services, Banking Commissioner, Commissioner of Children and
 8958 Families, Commissioner of Consumer Protection, Commissioner of

8959 Correction, Commissioner of Economic and Community Development,
8960 State Board of Education, Commissioner of Emergency Management
8961 and Homeland Security, Commissioner of Environmental Protection,
8962 Commissioner of Agriculture, Commissioner of Public Health,
8963 Insurance Commissioner, Labor Commissioner, Liquor Control
8964 Commission, Commissioner of Mental Health and Addiction Services,
8965 Commissioner of Public Safety, Commissioner of Social Services,
8966 Commissioner of Developmental Services, [Commissioner of Motor
8967 Vehicles,] Commissioner of Transportation, Commissioner of Public
8968 Works, Commissioner of Veterans' Affairs, Chief Information Officer,
8969 the chairperson of the Public Utilities Control Authority, the executive
8970 director of the Board of Education and Services for the Blind, the
8971 executive director of the Connecticut Commission on Culture and
8972 Tourism, and the executive director of the Office of Military Affairs. As
8973 used in sections 4-6 and 4-7, "department head" also means the
8974 Commissioner of Education.

8975 Sec. 290. Section 4-38c of the general statutes is repealed and the
8976 following is substituted in lieu thereof (*Effective October 1, 2010*):

8977 There shall be within the executive branch of state government the
8978 following departments: Office of Policy and Management, Department
8979 of Administrative Services, Department of Revenue Services,
8980 Department of Banking, Department of Agriculture, Department of
8981 Children and Families, Department of Consumer Protection,
8982 Department of Correction, Department of Economic and Community
8983 Development, State Board of Education, Department of Emergency
8984 Management and Homeland Security, Department of Environmental
8985 Protection, Department of Public Health, Board of Governors of
8986 Higher Education, Insurance Department, Labor Department,
8987 Department of Mental Health and Addiction Services, Department of
8988 Developmental Services, Department of Public Safety, Department of
8989 Social Services, Department of Transportation, [Department of Motor
8990 Vehicles,] Department of Veterans' Affairs, Department of Public
8991 Works and Department of Public Utility Control.

8992 Sec. 291. Subdivision (3) of section 12-430 of the general statutes is
8993 repealed and the following is substituted in lieu thereof (*Effective*
8994 *October 1, 2010*):

8995 (3) Each person before obtaining an original or transferral
8996 registration for a motor vehicle, vessel, snowmobile or aircraft in this
8997 state shall furnish evidence that any tax due thereon pursuant to the
8998 provisions of this chapter has been paid in accordance with regulations
8999 prescribed by the Commissioner of Revenue Services, and on forms
9000 approved by, in the case of a motor vehicle, vessel, [or] snowmobile [,]
9001 or aircraft, the Commissioner of Revenue Services and the
9002 [Commissioner of Motor Vehicles, and, in the case of an aircraft, the
9003 Commissioner of Revenue Services and the] Commissioner of
9004 Transportation. The Commissioner of [Motor Vehicles] Transportation
9005 shall, upon the request of the Commissioner of Revenue Services, after
9006 hearing by the Commissioner of Revenue Services, suspend or revoke
9007 a motor vehicle, vessel, [or] snowmobile or aircraft registration of any
9008 person who fails to pay any tax due in connection with the sale,
9009 storage, use or other consumption of such motor vehicle, vessel, [or]
9010 snowmobile or aircraft pursuant to the provisions of this chapter. [The
9011 Commissioner of Transportation shall, upon the request of the
9012 Commissioner of Revenue Services, after a hearing by the
9013 Commissioner of Revenue Services, suspend or revoke an aircraft
9014 registration of any person who fails to pay any tax due in connection
9015 with the sale, storage, use or other consumption of such aircraft
9016 pursuant to the provisions of this chapter.]

9017 Sec. 292. Subdivision (1) of subsection (a) of section 12-431 of the
9018 general statutes is repealed and the following is substituted in lieu
9019 thereof (*Effective October 1, 2010*):

9020 (a) (1) Except as otherwise provided in subdivision (2) of this
9021 subsection, in case of the purchase of any motor vehicle, snowmobile,
9022 vessel or aircraft other than from a licensed motor vehicle dealer or
9023 licensed motor vehicle lessor, a snowmobile dealer, a licensed marine
9024 dealer or a retailer of aircraft, respectively, the receipts therefrom shall

9025 not be included in the measure of the sales tax, but the purchaser
9026 thereof shall pay a use tax on the total purchase price thereof to the
9027 Commissioner of Revenue Services, as provided in section 12-411, in
9028 the case of tangible personal property purchased from a retailer, and,
9029 in the case of motor vehicles, vessels, [and] snowmobiles and aircraft,
9030 before obtaining an original or [transferal] transferral registration, in
9031 accordance with regulations prescribed by the Commissioner of
9032 Revenue Services and on forms approved by the Commissioner of
9033 Revenue Services and the Commissioner of [Motor Vehicles, and, in
9034 the case of aircraft, before obtaining an original or transferal
9035 registration, in accordance with regulations prescribed by the
9036 Commissioner of Revenue Services and on forms approved by the
9037 Commissioner of Revenue Services and the Commissioner of]
9038 Transportation.

9039 Sec. 293. Section 13a-37 of the general statutes is repealed and the
9040 following is substituted in lieu thereof (*Effective October 1, 2010*):

9041 If, in the opinion of the commissioner, the boundary lines or limits
9042 of any state highway have become lost or uncertain, he may cause a
9043 map or maps of such highway to be made and may reestablish such
9044 boundary lines or limits as, in his opinion, they were originally
9045 established. Said commissioner shall, by written notice to the
9046 selectmen of the town in which any such highway is situated and to
9047 each known adjoining proprietor on any such highway, by registered
9048 or certified mail to the last-known address, give a description of such
9049 boundaries or limits as reestablished and file with the town clerk of
9050 such town a copy of such map or maps which shall clearly define the
9051 lines of such highway and the bounds thereof. The lines, boundaries
9052 and limits so defined shall be the lines, boundaries and limits of such
9053 highway, unless any person or town claiming to be aggrieved thereby
9054 has taken an appeal to the Superior Court within sixty days from the
9055 filing of such map or maps, and said court has, after full hearing,
9056 found and determined new lines for such highway and rendered
9057 judgment defining the same. If said commissioner is unable to prove
9058 the location of any such boundaries or limits, he may purchase or

condemn such right-of-way over land adjoining the traveled portion of the highway as is, in his opinion, necessary for highway purposes under the provisions of part IV of this chapter, or may make written agreements with the owners thereof concerning such lines, such agreements to be executed in the manner required for deeds and recorded in the office of the town clerk in which such land is located by the commissioner. Said commissioner shall mark such boundaries or limits by a uniform and distinctive type of marker. [The expenses, costs and fees of the commissioner for legal, engineering or other services, land damage or other damages in reestablishing or locating such boundary lines shall be paid from the funds received from the Commissioner of Motor Vehicles.]

Sec. 294. Subsection (b) of section 13b-69 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

(b) The remaining resources of the Special Transportation Fund shall, pursuant to appropriation thereof in accordance with chapter 50 and subject to approval by the Governor of allotment thereof, be applied and expended for (1) payment of the principal of and interest on "general obligation bonds of the state issued for transportation purposes", as defined in subsection (c) of this section, or any obligations refunding the same, (2) payment of state budget appropriations made to or for the Department of Transportation, [and the Department of Motor Vehicles,] and (3) payment of state budget appropriations made to or for the Department of Public Safety for members of the Division of State Police designated by the Commissioner of Public Safety for motor patrol work pursuant to section 29-4, except that (A) for the fiscal years commencing on or after July 1, 1998, excluding the highway motor patrol budgeted expenses, and (B) for the fiscal years commencing on or after July 1, 1999, excluding the highway motor patrol fringe benefits.

Sec. 295. Section 13b-92 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

9092 The Department of Transportation, upon written application of any
9093 person authorized by the United States government to carry mail by
9094 motor vehicle, or of any person desiring to carry passengers for hire to
9095 and from any rural section where there is no other agency of public
9096 transportation of passengers, may authorize such applicant to
9097 transport passengers for hire in such motor vehicle over a prescribed
9098 route if, in the opinion of the department, public convenience and
9099 necessity require the same. The department shall also determine the
9100 registration fee, if any, to be charged such applicant and [shall forward
9101 to the Commissioner of Motor Vehicles a certified copy of its findings
9102 concerning the requirements of public convenience and necessity and
9103 the registration fee, and, thereupon, said commissioner] may register
9104 such applicant's vehicle for such service. The department may, at any
9105 time, amend or revoke any such authorization. Any such authorization
9106 issued by the Division of Public Utility Control within the Department
9107 of Business Regulation prior to October 1, 1979, shall remain valid
9108 unless revoked by the Department of Transportation. Said department
9109 may make rules, regulations and orders relating to such passenger
9110 service and fixing rates and schedules therefor, provided such rules,
9111 regulations and orders shall not be inconsistent with federal
9112 regulations pertaining to carriers of United States mail.

9113 Sec. 296. Subsection (b) of section 14-11c of the general statutes is
9114 repealed and the following is substituted in lieu thereof (*Effective*
9115 *October 1, 2010*):

9116 (b) The Motor Carrier Advisory Council shall consist of the
9117 following voting members: The Commissioners of Transportation,
9118 [Motor Vehicles,] Public Safety, Revenue Services, Economic and
9119 Community Development and Environmental Protection, or their
9120 designees, and any other commissioner of a state agency, or such
9121 commissioner's designee, invited to participate. The Commissioner of
9122 [Motor Vehicles] Transportation or the commissioner's designee shall
9123 organize and serve as chairperson of the council. The council shall only
9124 make recommendations or take actions by a unanimous vote of all
9125 members present and voting. The council may make recommendations

9126 as the council deems appropriate to the United States Congress, the
9127 Governor or the General Assembly.

9128 Sec. 297. Section 14-21w of the 2010 supplement to the general
9129 statutes is repealed and the following is substituted in lieu thereof
9130 (*Effective October 1, 2010*):

9131 (a) On and after January 1, 2010, the Commissioner of [Motor
9132 Vehicles] Transportation may issue, within available appropriations,
9133 Share the Road commemorative number plates of a design to enhance
9134 public awareness of the rights and responsibilities of both motorists
9135 and bicyclists while jointly using the highways of this state. The design
9136 shall be determined by [agreement between] the Department of
9137 Transportation, [and the Commissioner of Motor Vehicles,] in
9138 consultation with an organization advocating on behalf of bicyclists.
9139 No use shall be made of such plates except as official registration
9140 marker plates.

9141 (b) A fee of sixty dollars shall be charged for Share the Road
9142 commemorative number plates, in addition to the regular fee or fees
9143 prescribed for the registration of a motor vehicle. Fifteen dollars of
9144 such fee shall be deposited in an account controlled by the Department
9145 of [Motor Vehicles] Transportation to be used for the cost of
9146 producing, issuing, renewing and replacing such number plates and
9147 forty-five dollars of such fee shall be deposited in the account
9148 established under subsection (d) of this section. No additional fee shall
9149 be charged in connection with the renewal of such number plates. No
9150 transfer fee shall be charged for transfer of an existing registration to or
9151 from a registration with Share the Road commemorative number
9152 plates. Such number plates shall have letters and numbers selected by
9153 the Commissioner of [Motor Vehicles] Transportation. The
9154 commissioner may establish a higher fee for: (1) Number plates that
9155 contain the numbers and letters from a previously issued number
9156 plate; (2) number plates that contain letters in place of numbers as
9157 authorized by section 14-49, in addition to the fee or fees prescribed for
9158 registration under said section; and (3) number plates that are low

9159 number plates issued in accordance with section 14-160, in addition to
9160 the fee or fees prescribed for registration under said section. All fees
9161 established and collected pursuant to this section, except the amount
9162 deposited in the account controlled by the department, shall be
9163 deposited in the Share the Road account established under subsection
9164 (d) of this section.

9165 (c) The Commissioner of [Motor Vehicles, in consultation with the
9166 Commissioner of] Transportation, may adopt regulations, in
9167 accordance with the provisions of chapter 54, to establish standards
9168 and procedures for the issuance, renewal and replacement of Share the
9169 Road commemorative number plates.

9170 (d) There is established a Share the Road account which shall be a
9171 separate, nonlapsing account within the General Fund. The account
9172 shall contain any moneys required by law to be deposited in the
9173 account. The funds in the account shall be expended by the
9174 Department of Transportation to enhance public awareness of the
9175 rights and responsibilities of bicyclists and motorists while jointly
9176 using the highways of this state and to promote bicycle use and safety
9177 in this state. The Commissioner of Transportation may receive private
9178 donations to said account and any such receipts shall be deposited in
9179 said account.

9180 (e) The Commissioner of [Motor Vehicles] Transportation may
9181 provide for the reproduction and marketing of the Share the Road
9182 commemorative number plate image for use on clothing, recreational
9183 equipment, posters, mementoes or other products or programs
9184 deemed by the commissioner to be suitable as a means of supporting
9185 the Share the Road account established under subsection (d) of this
9186 section. Any moneys received by the commissioner from such
9187 marketing shall be deposited in said account.

9188 Sec. 298. Subdivision (1) of subsection (a) of section 14-96p of the
9189 general statutes is repealed and the following is substituted in lieu
9190 thereof (*Effective October 1, 2010*):

9191 (a) (1) No person shall display upon any motor vehicle any light
9192 visible from the front thereof other than white, yellow or amber, or any
9193 light other than red, yellow, amber or white visible from the rear
9194 thereof, except a light used with any school bus, without a special
9195 permit from the commissioner, in accordance with the provisions of
9196 subsection (c) of section 14-96q. [If the Department of Transportation
9197 obtains from the commissioner such a permit covering more than one
9198 motor vehicle operated by the department, it may display the lights
9199 allowed under the permit on each such vehicle without placing a copy
9200 of the permit in each vehicle.]

9201 Sec. 299. Section 14-100a of the general statutes is repealed and the
9202 following is substituted in lieu thereof (*Effective October 1, 2010*):

9203 (a) No new passenger motor vehicle may be sold or registered in
9204 this state unless equipped with at least two sets of seat safety belts for
9205 the front and rear seats of the motor vehicle, which belts comply with
9206 the requirements of subsection (b) of this section. The anchorage unit
9207 at the attachment point shall be of such construction, design and
9208 strength as to support a loop load strength of not less than four
9209 thousand pounds for each belt.

9210 (b) No seat safety belt may be sold for use in connection with the
9211 operation of a motor vehicle on any highway of this state unless it is so
9212 constructed and installed as to have a loop strength through the
9213 complete attachment of not less than four thousand pounds, and the
9214 buckle or closing device shall be of such construction and design that
9215 after it has received the aforesaid loop belt load it can be released with
9216 one hand with a pull of less than forty-five pounds.

9217 (c) (1) The operator of and any front seat passenger in a motor
9218 vehicle with a gross vehicle weight rating not exceeding ten thousand
9219 pounds or fire fighting apparatus originally equipped with seat safety
9220 belts complying with the provisions of the Code of Federal
9221 Regulations, Title 49, Section 571.209, as amended from time to time,
9222 shall wear such seat safety belt while the vehicle is being operated on

9223 any highway, except as follows:

9224 (A) A child six years of age and under shall be restrained as
9225 provided in subsection (d) of this section;

9226 (B) The operator of such vehicle shall secure or cause to be secured
9227 in a seat safety belt any passenger seven years of age or older and
9228 under sixteen years of age; and

9229 (C) If the operator of such vehicle is under eighteen years of age,
9230 such operator and each passenger in such vehicle shall wear such seat
9231 safety belt while the vehicle is being operated on any highway.

9232 (2) The provisions of subdivision (1) of this subsection shall not
9233 apply to (A) any person whose physical disability or impairment
9234 would prevent restraint in such safety belt, provided such person
9235 obtains a written statement from a licensed physician containing
9236 reasons for such person's inability to wear such safety belt and
9237 including information concerning the nature and extent of such
9238 condition. Such person shall carry the statement on his or her person
9239 or in the motor vehicle at all times when it is being operated, or (B) an
9240 authorized emergency vehicle, other than fire fighting apparatus,
9241 responding to an emergency call or a motor vehicle operated by a rural
9242 letter carrier of the United States postal service while performing his or
9243 her official duties or by a person engaged in the delivery of
9244 newspapers.

9245 (3) Failure to wear a seat safety belt shall not be considered as
9246 contributory negligence nor shall such failure be admissible evidence
9247 in any civil action.

9248 (4) Any operator of a motor vehicle, who is eighteen years of age or
9249 older, and any passenger in such motor vehicle, who violates any
9250 provision of this subsection shall have committed an infraction and
9251 shall be fined fifteen dollars. Any operator of a motor vehicle who is
9252 under eighteen years of age and any passenger in such motor vehicle
9253 who violates any provision of this subsection shall have committed an

9254 infraction and shall be fined seventy-five dollars. Points may not be
9255 assessed against the operator's license of any person convicted of such
9256 violation.

9257 (d) (1) Any person who transports a child six years of age and under
9258 or weighing less than sixty pounds, in a motor vehicle on the highways
9259 of this state shall provide and require the child to use a child restraint
9260 system approved pursuant to regulations adopted by the Department
9261 of [Motor Vehicles] Transportation in accordance with the provisions
9262 of chapter 54. Any person who transports a child seven years of age or
9263 older and weighing sixty or more pounds, in a motor vehicle on the
9264 highways of this state shall either provide and require the child to use
9265 an approved child restraint system or require the child to use a seat
9266 safety belt. As used in this subsection, "motor vehicle" does not mean a
9267 bus having a tonnage rating of one ton or more. Failure to use a child
9268 restraint system shall not be considered as contributory negligence nor
9269 shall such failure be admissible evidence in any civil action.

9270 (2) Any person who transports a child under one year of age or
9271 weighing less than twenty pounds in a motor vehicle on the highways
9272 of this state shall provide and require the child to ride rear-facing in a
9273 child restraint system approved pursuant to regulations that the
9274 Department of [Motor Vehicles] Transportation shall adopt in
9275 accordance with the provisions of chapter 54.

9276 (3) Notwithstanding the provisions of subdivision (1) of this
9277 subsection, any person who transports a child four years of age or
9278 older in a student transportation vehicle, as defined in section 14-212,
9279 on the highways of this state shall either provide and require the child
9280 to use an approved child restraint system or require the child to use a
9281 seat safety belt. Any person who transports a child under four years of
9282 age weighing less than forty pounds in a student transportation
9283 vehicle on the highways of this state shall provide and require the
9284 child to use a child restraint system approved pursuant to regulations
9285 adopted by the Department of [Motor Vehicles] Transportation in
9286 accordance with the provisions of chapter 54.

9287 (4) No person shall restrain a child in a booster seat unless the motor
9288 vehicle is equipped with a safety seat belt that includes a shoulder belt
9289 and otherwise meets the requirement of subsection (b) of this section.

9290 (5) Any person who violates the provisions of subdivision (1), (2),
9291 (3) or (4) of this subsection shall, for a first violation, have committed
9292 an infraction; for a second violation, be fined not more than one
9293 hundred ninety-nine dollars; and, for a third or subsequent violation,
9294 be guilty of a class A misdemeanor. The commissioner shall require
9295 any person who has committed a first or second violation of the
9296 provisions of this subsection to attend a child car seat safety course
9297 offered or approved by the Department of [Motor Vehicles]
9298 Transportation. The commissioner may, after notice and an
9299 opportunity for a hearing, suspend for a period of not more than two
9300 months the motor vehicle operator's license of any person who fails to
9301 attend or successfully complete the course.

9302 (e) (1) Any person who transports an individual who remains in a
9303 wheelchair while being transferred into and out of a vehicle, in any
9304 motor vehicle on the highways of this state, shall provide and require
9305 the use of a device designed to secure individuals in wheelchairs while
9306 transferring such individuals from the ground to the vehicle and from
9307 the time the motor vehicle is brought to a stop until such individuals
9308 are transferred from the vehicle to the ground. Such device shall be
9309 located in the motor vehicle at all times. The Commissioner of [Motor
9310 Vehicles] Transportation may, after consultation with the
9311 [Departments of Transportation and] Department of Public Health,
9312 establish regulations to implement the provisions of this section and
9313 sections 13b-105 and 14-102a, subsection (d) of section 14-103,
9314 subsection (a) of section 14-275 and subsection (a) of section 19a-180.

9315 (2) The following motor vehicles registered in this state for the first
9316 time on or after October 1, 2007, that transport individuals who remain
9317 in wheelchairs while being transported, shall, in addition to the
9318 requirements of subdivision (1) of this subsection, install or provide
9319 and require the use of a device that secures the wheelchair to the motor

9320 vehicle's mechanical lift or otherwise prevents or seeks to prevent an
9321 individual in a wheelchair from falling from such mechanical lift or
9322 motor vehicle: (A) Motor vehicles in livery service, as defined in
9323 section 13b-101, (B) service buses, as defined in section 14-1, (C) invalid
9324 coaches, as defined in subdivision (11) of section 19a-175, (D) vanpool
9325 vehicles, as defined in section 14-1, (E) school buses, as defined in
9326 section 14-1, (F) motor buses, as defined in section 14-1, (G) student
9327 transportation vehicles, as defined in section 14-212, and (H) camp
9328 vehicles, as defined in section 14-1. The provisions of this subsection
9329 shall also apply to all motor vehicles used by municipal, volunteer and
9330 commercial ambulance services, rescue services and management
9331 services, as defined in subdivision (19) of section 19a-175.

9332 (3) Violation of any provision of this subsection is an infraction.

9333 (f) The commissioner shall administer the provisions of this section.

9334 Sec. 300. Subdivision (2) of subsection (a) of section 14-108a of the
9335 general statutes is repealed and the following is substituted in lieu
9336 thereof (*Effective October 1, 2010*):

9337 (2) In each motor vehicle accident in which any person is killed or
9338 injured or in which damage to the property of any one individual,
9339 including the operator, in excess of one thousand dollars is sustained,
9340 the police officer, agency or individual who, in the regular course of
9341 duty, investigates such accident, either at the time of or at the scene of
9342 the accident or thereafter, by interviewing the participants or
9343 witnesses, shall, within five days after completing such investigation,
9344 complete and forward one copy of such report to the Commissioner of
9345 Transportation. Such report shall call for and contain all available
9346 detailed information to disclose the location and cause of the accident,
9347 the conditions then existing, the persons and vehicles involved and the
9348 names of the insurance companies issuing their automobile liability
9349 policies, as well as the enforcement action taken. [The Commissioner of
9350 Transportation shall forward to the Commissioner of Motor Vehicles
9351 one copy of each report of any accident involving a school bus. The

9352 Commissioner of Motor Vehicles may inquire into or investigate any
9353 accident reported pursuant to this subsection and may request the
9354 assistance of the Division of State Police within the Department of
9355 Public Safety for such purposes.]

9356 Sec. 301. Subsection (b) of section 14-212e of the general statutes is
9357 repealed and the following is substituted in lieu thereof (*Effective*
9358 *October 1, 2010*):

9359 (b) The council shall be comprised of the following members: The
9360 Commissioners of Transportation [,] and Public Safety, [and Motor
9361 Vehicles,] or their designees; the president of the Connecticut
9362 Employees Union Independent, or such person's designee; the
9363 president of the Connecticut State Police Union, or such person's
9364 designee; and a representative of the Connecticut Construction
9365 Industries Association, designated by the president of said association.
9366 Appointees should be persons with knowledge and experience
9367 concerning highway work zones. Appointments to the council shall be
9368 made not later than November 1, 2008. The chairperson of the council
9369 shall be appointed by the Governor and shall convene the first meeting
9370 of the council not later than December 1, 2008.

9371 Sec. 302. Subsections (e) to (l), inclusive, of section 14-267a of the
9372 general statutes are repealed and the following is substituted in lieu
9373 thereof (*Effective October 1, 2010*):

9374 (e) No person shall operate any commercial motor vehicle, nor shall
9375 the owner or lessee of any commercial motor vehicle allow such motor
9376 vehicle to be operated, on any public highway or bridge, when the
9377 combined weight of vehicle and load exceeds the gross weight, as
9378 registered with the Department of [Motor Vehicles] Transportation, the
9379 tire capacity or the axle load, except that the gross vehicle weight shall
9380 not exceed eighty thousand pounds, or as provided by statute, or, in
9381 the case of a vehicle registered in any other state or country, as so
9382 registered or provided in such state or country or as designated as
9383 legal for a like motor vehicle of Connecticut registration, whichever is

9384 the lesser, without a written permit from the Commissioner of
9385 Transportation, which shall prescribe the condition under which such
9386 vehicle shall be operated.

9387 (f) (1) The penalties provided for in this subsection shall be assessed
9388 against the owner of a commercial motor vehicle when the owner, the
9389 owner's agent or employee is the operator, or against the lessee of such
9390 vehicle when the lessee, the lessee's agent or employee is the operator
9391 of a leased or rented commercial motor vehicle.

9392 (2) Any person who violates any provision of this section shall be
9393 subject to the following penalties: (A) For an overweight violation of
9394 not more than five per cent of the gross weight or axle weight limits in
9395 subsection (b) of this section, a fine of three dollars per hundred
9396 pounds or fraction thereof of such excess weight; (B) for an overweight
9397 violation of more than five per cent and not more than ten per cent of
9398 either such weight limit, a fine of five dollars per hundred pounds or
9399 fraction thereof of such excess weight or a minimum fine of fifty
9400 dollars; (C) for an overweight violation of more than ten per cent but
9401 not more than fifteen per cent of either such weight limit, a fine of six
9402 dollars per hundred pounds or fraction thereof of such excess weight
9403 or a minimum fine of one hundred dollars; (D) for an overweight
9404 violation of more than fifteen per cent but not more than twenty per
9405 cent of either such weight limit, a fine of seven dollars per hundred
9406 pounds or fraction thereof of such excess weight or a minimum fine of
9407 two hundred dollars; (E) for an overweight violation of more than
9408 twenty per cent but not more than twenty-five per cent of either such
9409 weight limit, a fine of ten dollars per hundred pounds or fraction
9410 thereof of such excess weight or a minimum fine of three hundred
9411 dollars; (F) for an overweight violation of more than twenty-five per
9412 cent but not more than thirty per cent of either such overweight limit, a
9413 fine of twelve dollars per hundred pounds or fraction thereof of such
9414 excess weight or a minimum fine of five hundred dollars; and (G) for
9415 an overweight violation of more than thirty per cent of either such
9416 overweight limit, a fine of fifteen dollars per one hundred pounds or
9417 fraction thereof of such excess weight or a minimum fine of one

9418 thousand dollars.

9419 (3) The court shall note on the record any conviction for an
9420 overweight violation in excess of fifteen per cent of the gross weight
9421 limits in subsection (b) of this section with respect to any vehicle with a
9422 gross vehicle weight of eighteen thousand pounds or more and shall
9423 cause such information to be transmitted to the Commissioner of
9424 [Motor Vehicles] Transportation. Upon receipt of such information
9425 with respect to a third or subsequent conviction for such overweight
9426 violation in a calendar year, the commissioner may schedule a hearing,
9427 in accordance with the provisions of chapter 54, to review the record of
9428 the motor vehicle registrant and shall notify the registrant of the
9429 hearing. In such cases, the Commissioner of [Motor Vehicles]
9430 Transportation may review information and evidence presented at the
9431 hearing including, but not limited to, frequency of the registrant's
9432 commercial vehicle operations, the size of the registrant's fleet and the
9433 culpability, if any, of the shipper. After the hearing, the commissioner
9434 may impose a civil penalty on the owner or lessee of such motor
9435 vehicle in the amount of two thousand dollars or revoke the
9436 registration, for a period of thirty days, of any commercial motor
9437 vehicle so operated and may refuse to issue a registration for such
9438 motor vehicle during such further time as the commissioner deems
9439 reasonable.

9440 (4) An owner or lessee who is assessed penalties pursuant to this
9441 subsection for an overweight violation in excess of fifteen per cent of
9442 the gross weight limits in subsection (b) of this section five times
9443 during any calendar year shall be assessed by the court an additional
9444 five thousand dollars for the fifth violation and an additional five
9445 thousand dollars for each subsequent overweight violation in excess of
9446 fifteen per cent of such limits in such calendar year.

9447 (5) No more than twenty-five per cent of any fine imposed pursuant
9448 to this subsection may be remitted unless the court determines that
9449 there are mitigating circumstances and specifically states such
9450 circumstances for the record.

9451 (g) For the purpose of enforcing the provisions of this section, any
9452 state police officer, Department of Public Safety employee designated
9453 by the Commissioner of Public Safety, local police officer, [Department
9454 of Motor Vehicles inspector,] or Department of Transportation
9455 employee designated by the Commissioner of Transportation, may
9456 require the driver to stop and submit to a weighing by means of either
9457 portable or stationary scales and may require that such vehicle be
9458 driven to a scale or safety inspection site.

9459 (h) Whenever signs are displayed on a public highway, indicating
9460 that a scale is in operation and directing the driver of a commercial
9461 vehicle to stop at the weighing area, the driver shall stop and, in
9462 accordance with the directions of any state police officer, Department
9463 of Public Safety employee designated by the Commissioner of Public
9464 Safety, local police officer, [Department of Motor Vehicles inspector,]
9465 or Department of Transportation employee designated by the
9466 Commissioner of Transportation, allow the vehicle to be weighed or
9467 inspected.

9468 (i) The driver of a vehicle which is weighed may remove from such
9469 vehicle any material, including, but not limited to, sand, debris, ice or
9470 snow, which may have accumulated on the outside of such vehicle,
9471 before any such official determines that the weight of such vehicle is
9472 unlawful.

9473 (j) Whenever such an official, upon weighing a vehicle and load,
9474 determines that the weight is unlawful, such official may require the
9475 driver to remove from the vehicle that portion of the load that may be
9476 necessary to reduce the gross or axle weight of such vehicle to the limit
9477 permitted under this chapter, provided if the vehicle is in violation of
9478 an axle weight limit in subsection (b) of this section but not a gross
9479 weight limit under said subsection, such official shall allow the driver
9480 to manually shift the load in order to comply with such axle weight
9481 limit without penalty.

9482 (k) (1) Any driver of a vehicle who fails or refuses when directed by

9483 such official, upon a weighing of the vehicle, to comply with such
9484 official's directions shall be fined not less than one hundred dollars or
9485 more than two hundred dollars for the first offense and not less than
9486 two hundred dollars or more than five hundred dollars for each
9487 subsequent offense. (2) Any driver of a vehicle who (A) exits a limited
9488 access highway on which a scale or safety inspection site is in
9489 operation with intent to circumvent the provisions of subsection (h) of
9490 this section, without a bona fide business purpose, or (B) fails to
9491 comply with the provisions of subsection (h) of this section shall be
9492 fined not less than two hundred fifty dollars or more than five
9493 hundred dollars for the first offense and not less than five hundred
9494 dollars or more than one thousand dollars for each subsequent offense.

9495 (l) The Commissioner of Transportation may adopt regulations in
9496 accordance with chapter 54 necessary to implement the purposes of
9497 this section. The Commissioner of Transportation, after consultation
9498 with the Commissioner of Public Safety, [and the Commissioner of
9499 Motor Vehicles,] shall adopt regulations in accordance with chapter 54
9500 defining safety standards and inspection procedures to assure
9501 compliance with the safety requirements of 10 CFR 71 and 49 CFR 100
9502 through 199 and the fines for noncompliance. The Department of
9503 Transportation shall coordinate development of state policy and
9504 regulations concerning the trucking industry.

9505 Sec. 303. Section 14-270e of the general statutes is repealed and the
9506 following is substituted in lieu thereof (*Effective October 1, 2010*):

9507 On or before January 1, 2004, the Commissioner of Transportation,
9508 in consultation with the Department of Public Safety, [and the
9509 Department of Motor Vehicles,] shall establish a program to
9510 implement regularly scheduled and enforced hours of operation for
9511 weigh stations. Not later than October 1, 2004, and annually thereafter,
9512 the commissioner shall submit a report, in accordance with section 11-
9513 4a, on the planned program to the joint standing committee of the
9514 General Assembly having cognizance of matters relating to
9515 transportation.

9516 Sec. 304. Section 14-298 of the general statutes is repealed and the
9517 following is substituted in lieu thereof (*Effective October 1, 2010*):

9518 There shall be within the Department of Transportation a State
9519 Traffic Commission. Said Traffic Commission shall consist of the
9520 Commissioner of Transportation [,] and the Commissioner of Public
9521 Safety. [and the Commissioner of Motor Vehicles.] For the purpose of
9522 standardization and uniformity, said commission shall adopt and
9523 cause to be printed for publication regulations establishing a uniform
9524 system of traffic control signals, devices, signs and markings consistent
9525 with the provisions of this chapter for use upon the public highways.
9526 The commissioner shall make known to the General Assembly the
9527 availability of such regulations and any requesting member shall be
9528 sent a written copy or electronic storage media of such regulations by
9529 the commissioner. Taking into consideration the public safety and
9530 convenience with respect to the width and character of the highways
9531 and roads affected, the density of traffic thereon and the character of
9532 such traffic, said commission shall also adopt regulations, in
9533 cooperation and agreement with local traffic authorities, governing the
9534 use of state highways and roads on state-owned properties, and the
9535 operation of vehicles including but not limited to motor vehicles, as
9536 defined by section 14-1, and bicycles, as defined by section 14-286,
9537 thereon. A list of limited-access highways shall be published with such
9538 regulations and said list shall be revised and published once each year.
9539 The commissioner shall make known to the General Assembly the
9540 availability of such regulations and list and any requesting member
9541 shall be sent a written copy or electronic storage media of such
9542 regulations and list by the commissioner. A list of limited-access
9543 highways opened to traffic by the Commissioner of Transportation in
9544 the interim period between publications shall be maintained in the
9545 office of the State Traffic Commission and such regulations shall apply
9546 to the use of such listed highways. Said commission shall also make
9547 regulations, in cooperation and agreement with local traffic authorities,
9548 respecting the use by through truck traffic of streets and highways
9549 within the limits of, and under the jurisdiction of, any city, town or

9550 borough of this state for the protection and safety of the public. If said
9551 commission determines that the prohibition of through truck traffic on
9552 any street or highway is necessary because of an immediate and
9553 imminent threat to the public health and safety and the local traffic
9554 authority is precluded for any reason from acting on such prohibition,
9555 the commission, if it is not otherwise precluded from so acting, may
9556 impose such prohibition. Said commission may place and maintain
9557 traffic control signals, signs, markings and other safety devices, which
9558 it deems to be in the interests of public safety, upon such highways as
9559 come within the jurisdiction of said commission as set forth in section
9560 14-297. The traffic authority of any city, town or borough may place
9561 and maintain traffic control signals, signs, markings and other safety
9562 devices upon the highways under its jurisdiction, and all such signals,
9563 devices, signs and markings shall conform to the regulations
9564 established by said commission in accordance with this chapter, and
9565 such traffic authority shall, with respect to traffic control signals,
9566 conform to the provisions of section 14-299.

9567 Sec. 305. Subsection (b) of section 15-140c of the general statutes is
9568 repealed and the following is substituted in lieu thereof (*Effective*
9569 *October 1, 2010*):

9570 (b) Any officer authorized to enforce the provisions of this chapter
9571 upon discovery of any vessel apparently abandoned, whether situated
9572 on or out of the waters of the state, may take such vessel into his
9573 custody and may cause the same to be taken to and stored in a suitable
9574 place. There shall be no liability attached to such officer for any
9575 damages to such vessel while in his custody. All charges necessarily
9576 incurred by such officer in the performance of such duty shall be a lien
9577 upon such vessel. The owner or keeper of any marina or other place
9578 where such vessel is stored shall have a lien upon the same for his
9579 storage charges and if such vessel has been stored for a period of not
9580 less than sixty days, such owner or keeper may sell the same for
9581 storage charges owed thereon, provided a notice of intent to sell shall
9582 be sent to the Commissioner of Environmental Protection, the
9583 [Commissioner of Motor Vehicles,] Commissioner of Transportation

9584 and the owner of such vessel, if known, five days before the sale of
9585 such vessel. If the owner is unknown, such sale shall be advertised in a
9586 newspaper published or having a circulation in the town where such
9587 marina or other place is located three times, commencing at least five
9588 days before the sale. The proceeds of such sale, after deducting the
9589 amount due such marina owner or keeper and all expenses of the
9590 officer who placed such vessel in storage, shall be paid to the owner of
9591 such vessel or his legal representatives, if claimed by him or them at
9592 any time within one year from the date of such sale. If such balance is
9593 not claimed within said period, it shall escheat to the state.

9594 Sec. 306. Subsection (b) of section 17a-667 of the general statutes is
9595 repealed and the following is substituted in lieu thereof (*Effective*
9596 *October 1, 2010*):

9597 (b) The council shall consist of the following members: (1) The
9598 Secretary of the Office of Policy and Management, or the secretary's
9599 designee; (2) the Commissioners of Children and Families, Consumer
9600 Protection, Correction, Education, Higher Education, Mental Health
9601 and Addiction Services, [Motor Vehicles,] Public Health, Public Safety,
9602 Social Services and Transportation and the Insurance Commissioner,
9603 or their designees; (3) the Chief Court Administrator, or the Chief
9604 Court Administrator's designee; (4) the chairperson of the Board of
9605 Pardons and Paroles, or the chairperson's designee; (5) the Chief State's
9606 Attorney, or the Chief State's Attorney's designee; (6) the Chief Public
9607 Defender, or the Chief Public Defender's designee; and (7) the
9608 cochairpersons and ranking members of the joint standing committees
9609 of the General Assembly having cognizance of matters relating to
9610 public health, criminal justice and appropriations, or their designees.
9611 The Commissioner of Mental Health and Addiction Services and the
9612 Commissioner of Children and Families shall be cochairpersons of the
9613 council. The Office of Policy and Management shall, within available
9614 appropriations, provide staff for the council.

9615 Sec. 307. (NEW) (*Effective October 1, 2010*) (a) The Department of
9616 Economic and Community Development shall assume all

responsibilities of the Labor Department pursuant to any provision of the general statutes. The transfer of functions, powers, duties, obligations, including, but not limited to, contract obligations, the continuance of orders and regulations, the effect upon pending actions and proceedings, the completion of unfinished business, and the transfer of records and property between the Labor Department, as said department existed immediately prior to October 1, 2010, and the Department of Economic and Community Development shall be governed by the provisions of subsections (a) to (d), inclusive, and subsection (f) of section 4-38d and sections 4-38e and 4-39 of the general statutes.

(b) Wherever the term "Labor Department" is used or referred to in any public or special acts, the term "Department of Economic and Community Development" shall be substituted in lieu thereof.

(c) Wherever the terms "Labor Commissioner" or "Commissioner of Labor" are used or referred to in any public or special act, the term "Commissioner of Economic and Community Development" shall be substituted in lieu thereof.

(d) Any order or regulation of the Labor Department, which is in force on October 1, 2010, shall continue in force and effect as an order or regulation of the Department of Economic and Community Development until amended, repealed or superseded pursuant to law. Where any order or regulation of said departments conflict, the Commissioner of Economic and Community Development may implement policies and procedures consistent with the provisions of this act while in the process of adopting the policy or procedure in regulation form, provided notice of intention to adopt regulations is printed in the Connecticut Law Journal within twenty days of implementation. The policy or procedure shall be valid until the time final regulations are effective.

Sec. 308. (NEW) (*Effective October 1, 2010*) "Commissioner of Economic and Community Development" shall be substituted for

9649 "Labor Commissioner" or "Commissioner of Labor", and "Department
9650 of Economic and Community Development" shall be substituted for
9651 "Labor Department" or "Department of Labor" in the following
9652 sections of the general statutes: 3-60b, 3-123g, 4-31a, 4-61aa, 4-89, 4-
9653 124w, 4-124bb, 4-186, 4a-59a, 4a-82, 4a-100, 4b-3, 5-241, 7-314a, 7-323s,
9654 7-473c, 7-545, 8-47, 8-72a, 8-169d, 9-19b, 9-19h, 10-20a, 10-20b, 10-20c,
9655 10-21c, 10a-19b, 10a-22b, 10a-72d, 10a-109n, 10a-151b, 12-21, 12-35, 12-
9656 217g, 12-217y, 12-430, 13b-38t, 16-8d, 16a-103, 17a-453c, 17b-16, 17b-29,
9657 17b-90, 17b-112, 17b-112e, 17b-179, 17b-297, 17b-610, 17b-688b, 17b-
9658 688c, 17b-688h, 17b-688i, 17b-688j, 17b-689c, 17b-694, 17b-698, 17b-733,
9659 17b-745, 18-87j, 19a-109, 19a-332a, 19a-723, 20-330, 20-334, 20-334a, 20-
9660 340b, 20-353, 20-442, 20-480, 20-540, 22-15, 22-17a, 22a-6u, 22a-601, 28-6,
9661 28-14, 29-315a, 29-319, 29-325, 29-349, 29-390, 29-391, 31-1, 31-2, 31-2c,
9662 31-3, 31-3a, 31-3d, 31-3f, 31-3g, 31-3h, 31-3j, 31-3k, 31-3t, 31-3v, 31-3x,
9663 31-3y, 31-3ee, 31-3hh, 31-3kk, 31-3mm, 31-6, 31-7, 31-9, 31-10, 31-11, 31-
9664 11a, 31-11p, 31-11x, 31-12, 31-13, 31-18, 31-22, 31-22m, 31-22n, 31-22p,
9665 31-22q, 31-22r, 31-22s, 31-23, 31-28, 31-29, 31-33, 31-38a, 31-38b, 31-40,
9666 31-40a, 31-40b, 31-40d, 31-40e, 31-40f, 31-40k, 31-40l, 31-40m, 31-40n,
9667 31-40q, 31-40t, 31-40u, 31-40v, 31-45a, 31-48d, 31-50a, 31-51f, 31-51k, 31-
9668 51s, 31-51x, 31-51ii, 31-51kk, 31-51pp, 31-51qq, 31-51rr, 31-51vv, 31-
9669 51ww, 31-51xx, 31-51ddd, 31-52, 31-53, 31-53a, 31-53b, 31-54, 31-55, 31-
9670 55a, 31-57a, 31-57f, 31-57h, 31-58, 31-60, 31-66, 31-68a, 31-68b, 31-69a,
9671 31-69b, 31-71a, 31-72, 31-76, 31-76a, 31-76b, 31-76i, 31-76l, 31-76m, 31-
9672 77, 31-91, 31-92, 31-96, 31-98, 31-101, 31-102, 31-111b, 31-117, 31-121a,
9673 31-128j, 31-130, 31-131, 31-134, 31-134a, 31-136, 31-137, 31-221a, 31-221c,
9674 31-221f, 31-221g, 31-222, 31-226a, 31-232b, 31-236, 31-236e, 31-237, 31-
9675 254, 31-254a, 31-274g, 31-274h, 31-274i, 31-274j, 31-276a, 31-283a, 31-
9676 288, 31-309, 31-310a, 31-310b, 31-316, 31-362g, 31-367, 31-368, 31-374,
9677 31-376, 31-383, 31-396, 31-397, 31-398, 31-400, 31-401, 31-402, 31-403, 32-
9678 9j, 32-9p, 32-70, 32-80, 32-281, 32-475, 38a-456, 38a-537, 38a-1051, 46a-
9679 28, 46a-72, 46a-81j, 46a-170, 46b-84, 46b-171, 46b-172, 46b-215, 46b-231,
9680 51-222a, 52-362, 52-596 and 53a-157a.

9681 Sec. 309. Section 4-5 of the 2010 supplement to the general statutes is
9682 repealed and the following is substituted in lieu thereof (*Effective*

9683 *October 1, 2010*):

9684 As used in sections 4-6, 4-7 and 4-8, the term "department head"
9685 means Secretary of the Office of Policy and Management,
9686 Commissioner of Administrative Services, Commissioner of Revenue
9687 Services, Banking Commissioner, Commissioner of Children and
9688 Families, Commissioner of Consumer Protection, Commissioner of
9689 Correction, Commissioner of Economic and Community Development,
9690 State Board of Education, Commissioner of Emergency Management
9691 and Homeland Security, Commissioner of Environmental Protection,
9692 Commissioner of Agriculture, Commissioner of Public Health,
9693 Insurance Commissioner, [Labor Commissioner,] Liquor Control
9694 Commission, Commissioner of Mental Health and Addiction Services,
9695 Commissioner of Public Safety, Commissioner of Social Services,
9696 Commissioner of Developmental Services, Commissioner of Motor
9697 Vehicles, Commissioner of Transportation, Commissioner of Public
9698 Works, Commissioner of Veterans' Affairs, Chief Information Officer,
9699 the chairperson of the Public Utilities Control Authority, the executive
9700 director of the Board of Education and Services for the Blind, the
9701 executive director of the Connecticut Commission on Culture and
9702 Tourism, and the executive director of the Office of Military Affairs. As
9703 used in sections 4-6 and 4-7, "department head" also means the
9704 Commissioner of Education.

9705 Sec. 310. Section 4-38c of the general statutes is repealed and the
9706 following is substituted in lieu thereof (*Effective October 1, 2010*):

9707 There shall be within the executive branch of state government the
9708 following departments: Office of Policy and Management, Department
9709 of Administrative Services, Department of Revenue Services,
9710 Department of Banking, Department of Agriculture, Department of
9711 Children and Families, Department of Consumer Protection,
9712 Department of Correction, Department of Economic and Community
9713 Development, State Board of Education, Department of Emergency
9714 Management and Homeland Security, Department of Environmental
9715 Protection, Department of Public Health, Board of Governors of

9716 Higher Education, Insurance Department, [Labor Department,]
9717 Department of Mental Health and Addiction Services, Department of
9718 Developmental Services, Department of Public Safety, Department of
9719 Social Services, Department of Transportation, Department of Motor
9720 Vehicles, Department of Veterans' Affairs, Department of Public
9721 Works and Department of Public Utility Control.

9722 Sec. 311. Subsection (a) of section 4-67x of the 2010 supplement to
9723 the general statutes is repealed and the following is substituted in lieu
9724 thereof (*Effective October 1, 2010*):

9725 (a) There shall be a Child Poverty and Prevention Council consisting
9726 of the following members or their designees: The Secretary of the
9727 Office of Policy and Management, the president pro tempore of the
9728 Senate, the speaker of the House of Representatives, the minority
9729 leader of the Senate and the minority leader of the House of
9730 Representatives, the Commissioners of Children and Families, Social
9731 Services, Correction, Developmental Services, Mental Health and
9732 Addiction Services, Transportation, Public Health, Education,
9733 Economic and Community Development and Health Care Access, [the
9734 Labor Commissioner,] the Chief Court Administrator, the chairperson
9735 of the Board of Governors of Higher Education, the Child Advocate,
9736 the chairperson of the Children's Trust Fund Council and the executive
9737 directors of the Commission on Children and the Commission on
9738 Human Rights and Opportunities. The Secretary of the Office of Policy
9739 and Management, or the secretary's designee, shall be the chairperson
9740 of the council. The council shall (1) develop and promote the
9741 implementation of a ten-year plan, to begin June 8, 2004, to reduce the
9742 number of children living in poverty in the state by fifty per cent, and
9743 (2) within available appropriations, establish prevention goals and
9744 recommendations and measure prevention service outcomes in
9745 accordance with this section in order to promote the health and well-
9746 being of children and families.

9747 Sec. 312. Subsection (a) of section 4-124z of the general statutes is
9748 repealed and the following is substituted in lieu thereof (*Effective*

9749 *October 1, 2010*):

9750 (a) The Office of Workforce Competitiveness, [the Labor
9751 Commissioner,] the Commissioners of Economic and Community
9752 Development, Education and Social Services, the Secretary of the
9753 Office of Policy and Management and the Chancellor of the regional
9754 community-technical colleges, in consultation with the superintendent
9755 of the vocational-technical school system and one member of industry
9756 representing each of the economic clusters identified by the
9757 Commissioner of Economic and Community Development pursuant to
9758 section 32-1m shall (1) review, evaluate and, as necessary, recommend
9759 improvements for certification and degree programs offered by the
9760 vocational-technical school system and the community-technical
9761 college system to ensure that such programs meet the employment
9762 needs of business and industry, and (2) develop strategies to
9763 strengthen the linkage between skill standards for education and
9764 training and the employment needs of business and industry.

9765 Sec. 313. Subsection (b) of section 4-124ff of the general statutes is
9766 repealed and the following is substituted in lieu thereof (*Effective*
9767 *October 1, 2010*):

9768 (b) There is established a Council of Advisors on Strategies for the
9769 Knowledge Economy to promote the formation of university-industry
9770 partnerships, identify benchmarks for technology-based workforce
9771 innovation and competitiveness and advise the award process (1) for
9772 innovation challenge grants to public postsecondary schools and their
9773 business partners, and (2) grants under section 4-124hh. The council
9774 shall be chaired by the director of the Office of Workforce
9775 Competitiveness and shall include the Secretary of the Office of Policy
9776 and Management, the Commissioners of Economic and Community
9777 Development and Higher Education, [the Labor Commissioner,] the
9778 executive directors of Connecticut Innovations, Incorporated and the
9779 Connecticut Development Authority and four representatives from the
9780 technology industry, one of whom shall be appointed by the president
9781 pro tempore of the Senate, one of whom shall be appointed by the

9782 speaker of the House of Representatives, one of whom shall be
9783 appointed by the minority leader of the Senate and one of whom shall
9784 be appointed by the minority leader of the House of Representatives.

9785 Sec. 314. Subsection (a) of section 4-124uu of the general statutes is
9786 repealed and the following is substituted in lieu thereof (*Effective*
9787 *October 1, 2010*):

9788 (a) The Office of Workforce Competitiveness, in consultation with
9789 [the Labor Commissioner,] the Commissioners of Education and
9790 Economic and Community Development [.] and the Connecticut
9791 Commission on Culture and Tourism, shall establish a program that is
9792 designed to develop a trained workforce for the film industry in the
9793 state. Such program shall have three components: (1) An unpaid intern
9794 training program for high school and college students; (2) a production
9795 assistant training program open to any state resident; and (3) a
9796 workforce training program that would include classroom training,
9797 on-set training and a mentor program.

9798 Sec. 315. Subsection (a) of section 10-20d of the general statutes is
9799 repealed and the following is substituted in lieu thereof (*Effective*
9800 *October 1, 2010*):

9801 (a) The Commissioner of Education, in consultation with [the Labor
9802 Commissioner and] the Commissioners of Economic and Community
9803 Development and Higher Education, shall, within the limits of
9804 available appropriations, provide grants to postsecondary institutions,
9805 regional workforce development boards, regional educational service
9806 centers and other appropriate agencies and organizations to support
9807 the development of educators administering programs leading to a
9808 Connecticut career certificate pursuant to section 10-20a.

9809 Sec. 316. Section 10-95h of the general statutes is repealed and the
9810 following is substituted in lieu thereof (*Effective October 1, 2010*):

9811 There is established a state-wide advisory committee, which shall
9812 meet at least semiannually, to (1) identify emerging state and national

9813 workforce needs and trade technology programs for the regional
9814 vocational-technical school system to meet such needs; (2) identify the
9815 workforce skills that will be needed for the next thirty years and
9816 ensure that the curriculum of the regional vocational-technical school
9817 system is incorporating such skills into the regional vocational-
9818 technical schools; (3) ensure that all students who graduate from the
9819 regional vocational-technical school system have communication,
9820 leadership, teamwork and problem-solving skills, in addition to
9821 expertise in a trade technology; (4) assess the adequacy of the
9822 resources available to the regional vocational-technical school system
9823 as the system develops and refines programs to meet existing and
9824 emerging workforce needs; and (5) advise and make recommendations
9825 to the State Board of Education to carry out the provisions of
9826 subdivisions (1) to (4), inclusive, of this section. The committee shall
9827 consist of nineteen members as follows: (A) Two appointed by the
9828 speaker of the House of Representatives, who shall be representatives
9829 of business, holding the title of chief executive officer, president, chief
9830 operating officer or the equivalents thereof, drawn from key industry,
9831 service and manufacturing firms with five hundred or more full-time
9832 employees; (B) two appointed by the president pro tempore of the
9833 Senate, one of whom shall be a representative of business, holding the
9834 title of chief executive officer, president, chief operating officer or the
9835 equivalents thereof, drawn from key industry, service and
9836 manufacturing firms with five hundred or more full-time employees
9837 and one of whom shall be a teacher in the regional vocational-technical
9838 school system; (C) one appointed by the majority leader of the House
9839 of Representatives who shall be a representative of business, holding
9840 the title of chief executive officer, president, chief operating officer or
9841 the equivalents thereof, drawn from key industry, service and
9842 manufacturing firms with more than fifty, but fewer than five hundred
9843 full-time employees; (D) one appointed by the majority leader of the
9844 Senate who shall be a representative of business, holding the title of
9845 chief executive officer, president, chief operating officer or the
9846 equivalents thereof, drawn from key industry, service and
9847 manufacturing firms with more than fifty, but fewer than five hundred

9848 full-time employees; (E) one appointed by the minority leader of the
9849 House of Representatives who shall be a representative of business,
9850 holding the title of chief executive officer, president, chief operating
9851 officer or the equivalents thereof, drawn from key industry, service
9852 and manufacturing firms with more than fifty, but fewer than five
9853 hundred full-time employees; (F) one appointed by the minority leader
9854 of the Senate who shall be a representative of business, holding the
9855 title of chief executive officer, president, chief operating officer or the
9856 equivalents thereof, drawn from key industry, service and
9857 manufacturing firms with fifty or fewer full-time employees; (G) two
9858 persons appointed by the Governor who shall be representatives of
9859 business, holding the title of chief executive officer, president, chief
9860 operating officer or the equivalents thereof, drawn from key industry,
9861 service and manufacturing firms with fifty or fewer full-time
9862 employees; (H) the Commissioner of Education, or the commissioner's
9863 designee; (I) [the Labor Commissioner, or the commissioner's designee;
9864 (J)] the Commissioner of Economic and Community Development, or
9865 the commissioner's designee; [(K)] (J) a representative from the Office
9866 of Workforce Competitiveness; [(L)] (K) the chairperson of the State
9867 Board of Education, or the chairperson's designee; and [(M)] (L) the
9868 cochairpersons and ranking members of the joint standing committee
9869 of the General Assembly having cognizance of matters relating to
9870 education. The committee membership shall reflect the state's
9871 geographic, racial and ethnic diversity.

9872 Sec. 317. Subdivision (2) of subsection (a) of section 10a-11b of the
9873 general statutes is repealed and the following is substituted in lieu
9874 thereof (*Effective October 1, 2010*):

9875 (2) The following persons shall serve as ex-officio nonvoting
9876 members on the commission: (A) The Commissioners of Higher
9877 Education, Education and Economic and Community Development,
9878 [and the Labor Commissioner,] or their designees; (B) the chairpersons
9879 of the boards of trustees and the chief executive officers of each
9880 constituent unit of the state system of higher education, or their
9881 designees; (C) the chairperson of the board and president of the

9882 Connecticut Conference of Independent Colleges, or their designees;
9883 (D) the director of the Office of Workforce Competitiveness, or the
9884 director's designee; (E) the chairpersons and ranking members of the
9885 joint standing committee of the General Assembly having cognizance
9886 of matters relating to higher education and employment advancement;
9887 and (F) the Secretary of the Office of Policy and Management, or the
9888 secretary's designee.

9889 Sec. 318. Section 10a-12a of the general statutes is repealed and the
9890 following is substituted in lieu thereof (*Effective October 1, 2010*):

9891 There shall be a Technical Education Coordinating Council. The
9892 council shall consist of the following members: The chairpersons and
9893 ranking members of the joint standing committees of the General
9894 Assembly having cognizance of matters relating to education and
9895 commerce, or their designees; the Commissioners of Higher Education
9896 and Economic and Community Development, [and the Labor
9897 Commissioner] or their designees; the chief executive officers of each
9898 constituent unit of the state system of higher education, or their
9899 designees; the president of the Connecticut Conference of Independent
9900 Colleges; the superintendent of the vocational-technical school system;
9901 one member who is a teacher at a regional vocational-technical school
9902 designated by the exclusive representative of the vocational-technical
9903 school teachers' bargaining unit; two members who are parents of
9904 students enrolled in vocational-technical schools designated by the
9905 vocational-technical schools parents' association; one member
9906 representing each of the economic clusters identified pursuant to
9907 section 32-1m designated by the Commissioner of Economic and
9908 Community Development; one member designated by the Connecticut
9909 Business and Industry Association; one member designated by the
9910 Manufacturing Assistance Council; and one member designated by the
9911 Connecticut Technology Council. The cochairpersons of the joint
9912 standing committee of the General Assembly having cognizance of
9913 matters relating to education, or their designees, shall jointly convene a
9914 meeting of the council not later than October 1, 1998. The council shall
9915 meet at least six times a year to review and evaluate the coordinated

9916 delivery of technical and technological education to meet the
9917 employment needs of business and industry. The council shall also
9918 explore ways to: (1) Encourage students to pursue technical careers,
9919 including the development or expansion of alternative training
9920 methods that may improve the delivery and accessibility of vocational-
9921 technical training; (2) ensure a successful transition for students from
9922 the regional vocational-technical schools to post secondary education;
9923 and (3) improve public awareness regarding manufacturing careers.
9924 On or before January 1, 1999, and annually thereafter, the
9925 Commissioner of Education shall report, in accordance with section 11-
9926 4a, to the joint standing committees of the General Assembly having
9927 cognizance of matters relating to education and commerce on the
9928 activities of the council in the prior year.

9929 Sec. 319. Section 10a-72c of the general statutes is repealed and the
9930 following is substituted in lieu thereof (*Effective October 1, 2010*):

9931 There is established a council to advise the Board of Trustees of the
9932 Community-Technical Colleges in the performance of its statutory
9933 functions relating to technical and technological education. The council
9934 shall consist of: (1) The Commissioner of Economic and Community
9935 Development, [and the Labor Commissioner,] (2) one technical or
9936 technological education faculty member from each of the community-
9937 technical colleges appointed by the chief executive officer of each such
9938 institution, (3) one technical or technological education student from
9939 each of the community-technical colleges elected by the student body
9940 of each such institution.

9941 Sec. 320. Subsection (a) of section 12-217z of the general statutes is
9942 repealed and the following is substituted in lieu thereof (*Effective*
9943 *October 1, 2010*):

9944 (a) There is established a Business Tax Credit and Tax Policy Review
9945 Committee which shall be comprised of the following members: (1)
9946 The chairpersons and ranking members of the joint standing
9947 committee of the General Assembly having cognizance of matters

relating to finance, revenue and bonding, or their designees; (2) one member appointed by each of the following: The Governor, the president pro tempore of the Senate, the speaker of the House of Representatives, the majority leader of the Senate, the majority leader of the House of Representatives, the minority leader of the House of Representatives and the minority leader of the Senate; and (3) the Commissioners of Revenue Services and Economic and Community Development, [and the Labor Commissioner,] or their designees.

Sec. 321. Subsection (b) of section 31-3b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

(b) The Labor Commissioner is authorized to establish an interagency program coordinating committee to coordinate the application of all available resources for the purposes of this section. Said committee shall consist of representatives of various employment and training agencies within the [Labor] Department of Economic and Community Development and representatives of the Department of Education. [and the Department of Economic and Community Development.]

Sec. 322. Section 31-3c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

The [Labor] Commissioner of Economic and Community Development, with the approval of the [Commissioners of Economic and Community Development and] Commissioner of Education, shall establish a customized job training program for preemployment and postemployment job training for the purpose of meeting the labor requirements of manufacturing or economic base businesses, as defined in subsection (l) of section 32-222, and shall implement such job training program. Such job training program shall include training designed to increase the basic skills of employees, including, but not limited to, training in written and oral communication, mathematics or science, or training in technical and technological skills. The Labor

9980 Commissioner shall use funds appropriated to the Labor Department
9981 for vocational and manpower training in carrying out such job training
9982 program, except that not more than four per cent of such funds may be
9983 used to pay the cost of its administration. Upon receipt of a request for
9984 job training pursuant to this section, the Labor Commissioner shall
9985 notify the chancellor of the regional community-technical colleges, or
9986 his designee, of such request. The chancellor, or his designee, shall
9987 determine if a training program exists or can be designed at a regional
9988 community-technical college to meet such training need and shall
9989 notify the Labor Commissioner of such determination. The Labor
9990 Commissioner shall to the extent possible make arrangements for the
9991 participation of the regional community-technical colleges, the
9992 Connecticut State University System, other institutions of higher
9993 education, other postsecondary institutions, adult education programs,
9994 opportunities industrialization centers and state regional
9995 vocational-technical schools in implementing the program. Nothing in
9996 this section shall preclude the Labor Commissioner from considering
9997 or choosing other providers to meet such training need. Nothing in
9998 this section shall preclude an employer from considering or choosing
9999 other providers to meet the training needs of such employer, provided
10000 the Labor Commissioner approves such employer's use of such other
10001 providers. For the period from July 1, 1996, to June 30, 1999, the Labor
10002 Commissioner, or his designee, the chancellor of the
10003 community-technical colleges and the chairpersons of the joint
10004 standing committee of the General Assembly having cognizance of
10005 matters relating to education shall meet semiannually to review
10006 actions taken pursuant to this section and section 32-6j.

10007 Sec. 323. Section 31-3u of the general statutes is repealed and the
10008 following is substituted in lieu thereof (*Effective October 1, 2010*):

10009 (a) The Commissioner of Economic and Community Development
10010 may allocate the funds authorized for the purposes of this section by
10011 subsection (b) of section 32-235 [to the Labor Commissioner] for the
10012 purpose of providing assistance to employers (1) for the job training or
10013 retraining of (A) current employees or (B) prospective employees in

10014 newly-created jobs and (2) including, but not limited to, meeting ISO
10015 9000 quality standards. The [Labor Commissioner, upon the
10016 recommendation of the] Commissioner of Economic and Community
10017 Development, shall provide for such training or retraining through
10018 customized job training programs authorized under this chapter. The
10019 [Labor] Commissioner of Economic and Community Development
10020 may use vouchers for the purposes of this subsection.

10021 (b) The [Labor Commissioner and the] Commissioner of Economic
10022 and Community Development shall [jointly] develop criteria for the
10023 evaluation and assessment of the assistance provided under subsection
10024 (a) of this section.

10025 (c) The [Labor Commissioner, in consultation with the]
10026 Commissioner of Economic and Community Development, shall
10027 submit an annual report to the joint standing committees of the
10028 General Assembly having cognizance of matters relating to the
10029 Department of Economic and Community Development [and the
10030 Labor Department] on the assistance provided under subsection (a) of
10031 this section.

10032 Sec. 324. Section 31-3w of the general statutes is repealed and the
10033 following is substituted in lieu thereof (*Effective October 1, 2010*):

10034 (a) Notwithstanding any provision of the general statutes, the
10035 [Labor] Commissioner of Economic and Community Development, in
10036 exercise of any duties including any duties as administrator under
10037 chapter 567, shall, within available resources, maintain a state-wide
10038 network of job centers which provide to workers, students and
10039 employers comprehensive workforce development assistance,
10040 including, but not limited to, the following:

10041 (1) Unemployment compensation, retraining allowances and other
10042 forms of federal and state income support;

10043 (2) Career, labor market, educational and job training information,
10044 and consumer reports on local training providers;

- 10045 (3) Career planning and job search assistance;
- 10046 (4) Applicant recruitment and screening, assessment of training
10047 needs, customized job training pursuant to this chapter, apprenticeship
10048 programs pursuant to chapter 557 and related consultative services to
10049 employers based on their employment needs;
- 10050 (5) Eligibility determinations and referrals to providers of
10051 employment and training services; and
- 10052 (6) Access to information regarding job openings and, where
10053 appropriate, referral to such openings.
- 10054 (b) In carrying out responsibilities under this section, the
10055 commissioner shall:
- 10056 (1) Collaborate with the Connecticut Employment and Training
10057 Commission established pursuant to section 31-3h and the regional
10058 workforce development boards established pursuant to section 31-3k;
- 10059 (2) Promote coordination of service delivery and collaboration with
10060 other public and private providers of education, human services and
10061 employment and training services, including, but not limited to, adult
10062 education and literacy providers;
- 10063 [(3) Consult with the Commissioner of Economic and Community
10064 Development to ensure coordination of service delivery to employers;]
- 10065 [(4)] (3) Conduct outreach to employers and trade associations to
10066 ensure that services meet the needs of business and industry; and
- 10067 [(5)] (4) Develop a comprehensive job training assistance application
10068 for employer-based training services and programs that allows the
10069 applicant to apply for any such assistance offered by the state in one
10070 application.
- 10071 Sec. 325. Section 31-3dd of the general statutes is repealed and the
10072 following is substituted in lieu thereof (*Effective October 1, 2010*):

10073 The Connecticut Employment and Training Commission, in
10074 consultation with [the Labor Department,] the Department of
10075 Economic and Community Development and the regional workforce
10076 development boards, shall recommend to the Office of Policy and
10077 Management and the joint standing committee of the General
10078 Assembly having cognizance of matters relating to appropriations,
10079 budget targets for assisting state employers with their training needs.

10080 Sec. 326. Subsection (a) of section 31-31l of the general statutes is
10081 repealed and the following is substituted in lieu thereof (*Effective*
10082 *October 1, 2010*):

10083 (a) The [Labor] Commissioner of Economic and Community
10084 Development, in consultation with [the Commissioner of Economic
10085 and Community Development and] the Commissioner of Education,
10086 shall, within available appropriations, establish and operate the
10087 Twenty-First Century Skills Training Program, the purposes of which
10088 shall be to: (1) Sustain high growth occupation and economically vital
10089 industries identified by such commissioners; and (2) assist workers in
10090 obtaining skills to start or move up their career ladders. Such job
10091 training program may include training designed to increase the basic
10092 skills of employees, including, but not limited to, training in written
10093 and oral communication, mathematics or science, or training in
10094 technical and technological skills and such other training as such
10095 commissioners determine is necessary to meet the needs of the
10096 employer. No more than five per cent of the appropriation for the
10097 program may be used for administrative purposes.

10098 Sec. 327. Subdivision (2) of subsection (a) of section 31-11cc of the
10099 general statutes is repealed and the following is substituted in lieu
10100 thereof (*Effective October 1, 2010*):

10101 (2) The ex-officio nonvoting members shall consist of the following
10102 members, or their designees: The Commissioners of Correction,
10103 Education, Higher Education, Economic and Community
10104 Development and Social Services, [the Labor Commissioner,] the

10105 director of the Office of Workforce Competitiveness, the Secretary of
10106 the Office of Policy and Management, the chancellor of the regional
10107 community-technical colleges and the State Librarian.

10108 Sec. 328. Subsection (b) of section 31-11dd of the general statutes is
10109 repealed and the following is substituted in lieu thereof (*Effective*
10110 *October 1, 2010*):

10111 (b) The Office of Workforce Competitiveness, in accordance with
10112 subsection (c) of section 4-124w, may request other state agencies,
10113 including, but not limited to, the Departments of Education, Higher
10114 Education, Economic and Community Development and Social
10115 Services, [the Labor Department,] and the Board of Trustees of the
10116 Community-Technical Colleges to provide information, reports and
10117 other assistance to the board in carrying out its duties, pursuant to
10118 subsection (a) of this section and sections 31-11cc and 31-11ee, and to
10119 the Connecticut Employment and Training Commission in carrying
10120 out its duties pursuant to subsection (d) of this section.

10121 Sec. 329. Section 31-386 of the general statutes is repealed and the
10122 following is substituted in lieu thereof (*Effective October 1, 2010*):

10123 When used in this chapter, unless the context otherwise requires:

10124 (a) ["Commissioners"] "Commissioner" means the Commissioner of
10125 Economic and Community Development; [and the Labor
10126 Commissioner;]

10127 (b) "Unemployment rate" means the rate of unemployment within
10128 any labor market area in the state as determined by the [Labor]
10129 Commissioner of Economic and Community Development by
10130 computing the percentage of the work force within such labor market
10131 area which was unemployed during the month of March, 1975;

10132 (c) "Eligible municipality" means any municipality with an
10133 unemployment rate equal to or greater than seven per cent of its work
10134 force in March, 1975, as certified by the [Labor] Commissioner of

10135 Economic and Community Development;

10136 (d) "Eligible labor market area" means a labor market area, as
10137 determined by the [Labor] Commissioner of Economic and
10138 Community Development, with an unemployment rate equal to or
10139 greater than seven per cent of its work force in March, 1975, as certified
10140 by said [Labor] Commissioner of Economic and Community
10141 Development; and

10142 (e) "Emergency municipal public works employment project" means
10143 any municipal public works project considered by said
10144 [commissioners] commissioner for state financial assistance under this
10145 chapter.

10146 Sec. 330. Subsection (a) of section 31-389 of the general statutes is
10147 repealed and the following is substituted in lieu thereof (*Effective*
10148 *October 1, 2010*):

10149 (a) The state, acting by and in the discretion of the commissioners,
10150 and with the approval of the Secretary of the Office of Policy and
10151 Management, may enter into a contract with an eligible municipality
10152 for state financial assistance for any eligible emergency municipal
10153 public works employment project in the form of a grant to such
10154 eligible municipality. Any such grant shall be in an amount not in
10155 excess of the cost of the project for which such grant is made, as
10156 determined and approved by [the Labor Commissioner and] the
10157 Commissioners of Economic and Community Development and
10158 Administrative Services. In accordance with any such contract, the
10159 state may make temporary advances to such municipality for the cost
10160 of such project.

10161 Sec. 331. Section 31-390 of the general statutes is repealed and the
10162 following is substituted in lieu thereof (*Effective October 1, 2010*):

10163 (a) The [Labor Commissioner and the] Commissioners of Economic
10164 and Community Development and Public Works shall have the right
10165 of inspection of any such project at any time.

10166 (b) The [Labor Commissioner and the] Commissioners of Economic
10167 and Community Development and Public Works and the Secretary of
10168 the Office of Policy and Management are authorized to make orders,
10169 establish guidelines and adopt regulations under the provisions of
10170 chapter 54 with respect to the implementation of this chapter.

10171 (c) At the request of the commissioners, any agency or department
10172 of the executive branch shall advise and assist the commissioners in
10173 the implementation of this chapter.

10174 Sec. 332. Subsection (a) of section 32-1o of the 2010 supplement to
10175 the general statutes is repealed and the following is substituted in lieu
10176 thereof (*Effective October 1, 2010*):

10177 (a) On or before July 1, 2009, and every five years thereafter, the
10178 Commissioner of Economic and Community Development, within
10179 available appropriations, shall prepare an economic strategic plan for
10180 the state in consultation with the Secretary of the Office of Policy and
10181 Management, the Commissioners of Environmental Protection and
10182 Transportation, [the Labor Commissioner,] the executive directors of
10183 the Connecticut Housing Finance Authority, the Connecticut
10184 Development Authority, the Connecticut Innovations, Inc., the
10185 Commission on Culture and Tourism and the Connecticut Health and
10186 Educational Facilities Authority, and the president of the Office of
10187 Workforce Competitiveness, or their respective designees, and any
10188 other agencies the Commissioner of Economic and Community
10189 Development deems appropriate.

10190 Sec. 333. Subsection (a) of section 32-6i of the general statutes is
10191 repealed and the following is substituted in lieu thereof (*Effective*
10192 *October 1, 2010*):

10193 (a) There is established the Connecticut Economic Information
10194 System Steering Committee. The committee shall consist of the
10195 following members: (1) The Secretary of the Office of Policy and
10196 Management, the Secretary of the State, the executive director of the
10197 office of the Joint Committee on Legislative Management, the State

10198 Librarian [, the Labor Commissioner] and the Commissioners of
10199 Economic and Community Development, Revenue Services, Higher
10200 Education, and Education, or their designees, and (2) six members
10201 appointed as follows: One by the president pro tempore of the Senate,
10202 who shall represent regional planning organizations; one by the
10203 majority leader of the Senate, who shall represent academic
10204 institutions; one by the minority leader of the Senate, who shall
10205 represent private businesses; one by the speaker of the House of
10206 Representatives, who shall represent public libraries; one by the
10207 majority leader of the House of Representatives, who shall represent
10208 the staff of the State Occupational Information Coordinating
10209 Committee; and one by the minority leader of the House of
10210 Representatives, who shall represent municipalities. The
10211 cochairpersons of the committee shall be the Secretary of the Office of
10212 Policy and Management and the Labor Commissioner until October 1,
10213 1994. Thereafter, the cochairpersons shall be elected by the
10214 membership for terms of two years.

10215 Sec. 334. Section 32-6j of the general statutes is repealed and the
10216 following is substituted in lieu thereof (*Effective October 1, 2010*):

10217 In the assessment and provision of job training for employers, [the
10218 Commissioner of Economic and Community Development and] the
10219 executive director of the Connecticut Development Authority shall
10220 request the assistance of the [Labor] Commissioner of Economic and
10221 Community Development. Upon receipt of a request for job training
10222 pursuant to this section, the [Labor] Commissioner of Economic and
10223 Community Development shall notify the chancellor of the regional
10224 community-technical colleges, or his designee, of such request. The
10225 chancellor, or his designee, shall determine if a training program exists
10226 or can be designed at a regional community-technical college to meet
10227 such training need and shall notify the [Labor] Commissioner of
10228 Economic and Community Development of such determination. The
10229 [Labor] Commissioner of Economic and Community Development
10230 shall to the extent possible make arrangements for the participation of
10231 the regional community-technical colleges, the Connecticut State

10232 University System, other institutions of higher education, other
10233 postsecondary institutions, adult education programs and state
10234 regional vocational-technical schools in implementing the program.
10235 Nothing in this section shall preclude the [Labor] Commissioner of
10236 Economic and Community Development from considering or choosing
10237 other providers to meet such training need.

10238 Sec. 335. Subsection (c) of section 32-23ww of the general statutes is
10239 repealed and the following is substituted in lieu thereof (*Effective*
10240 *October 1, 2010*):

10241 (c) There is established a grant program to be administered by the
10242 commissioner [, in consultation with the Labor Commissioner,] for the
10243 purpose of awarding grants under section 32-327 to agencies seeking
10244 to contract for educational and job placement assistance for displaced
10245 defense workers. The grant program shall be administered in a manner
10246 consistent with the state work force development plan and the job
10247 training plan of the regional work force development board
10248 established pursuant to section 31-3k in each region seeking a grant
10249 under such grant program.

10250 Sec. 336. Section 32-59 of the general statutes is repealed and the
10251 following is substituted in lieu thereof (*Effective October 1, 2010*):

10252 There is established within the Department of Economic and
10253 Community Development a defense readjustment task force which
10254 shall consist of the Commissioner of Economic and Community
10255 Development [and the Labor Commissioner] and the Secretary of the
10256 Office of Policy and Management, or their designees. The
10257 Commissioner of Economic and Community Development shall serve
10258 as chairman. The defense readjustment task force shall advise and
10259 assist the Governor and the Department of Economic and Community
10260 Development with respect to economic planning for any municipality
10261 or region which is or may be severely impacted by prime defense
10262 contract cutbacks. The defense readjustment task force shall design
10263 procedures for expedient and effective aid to businesses and their

10264 employees that are severely impacted by prime defense contract
10265 cutbacks. Such procedures shall include, but not be limited to: (1)
10266 Expediting unemployment claims; (2) finding alternative employment
10267 for affected employees; (3) recommending priority in such state
10268 assistance as job training programs; and (4) technical assistance. The
10269 procedures developed by the defense readjustment task force may be
10270 implemented at the direction of the Governor.

10271 Sec. 337. Subsection (b) of section 32-245 of the general statutes is
10272 repealed and the following is substituted in lieu thereof (*Effective*
10273 *October 1, 2010*):

10274 (b) The commission shall consist of the following members: The
10275 Commissioners of Economic and Community Development, Education
10276 and Higher Education, [and the Labor Commissioner] or their
10277 designees; the chairpersons and ranking members of the joint standing
10278 committee of the General Assembly having cognizance of matters
10279 relating to commerce and exportation, or their designees; the president
10280 of the Connecticut Academy of Science and Engineering, or his
10281 designee; the president of the Connecticut Business and Industries
10282 Association or his designee; the president of the Connecticut AFL-CIO
10283 or his designee; one member representing a large manufacturing
10284 concern and one member representing a financial institution,
10285 appointed by the president pro tempore of the Senate; one member
10286 representing a large business that is heavily dependent on prime
10287 defense contracts or subcontracts and one member representing a
10288 small business that is heavily dependent on prime defense contracts or
10289 subcontracts appointed by the speaker of the House of
10290 Representatives; one member representing a small manufacturing
10291 concern appointed by the majority leader of the Senate; one member
10292 representing a large service-related business appointed by the majority
10293 leader of the House of Representatives; one member representing a
10294 small service-related business appointed by the minority leader of the
10295 Senate; and one member representing an educational institution
10296 appointed by the minority leader of the House of Representatives. The
10297 members who are not serving ex-officio shall serve for a term of two

10298 years, commencing July 1, 1990, and biennially thereafter, and until
10299 their successors have been duly qualified. The Governor shall appoint
10300 a chairperson for the commission from its membership.

10301 Sec. 338. Subsection (a) of section 32-290a of the general statutes is
10302 repealed and the following is substituted in lieu thereof (*Effective*
10303 *October 1, 2010*):

10304 (a) The Commissioner of Economic and Community Development,
10305 in consultation with the Commissioner of Social Services, [and the
10306 Labor Commissioner,] may establish, within available appropriations,
10307 an entrepreneurial training program for the purpose of training and
10308 preparing former recipients of temporary family assistance, general
10309 assistance, state-administered general assistance and aid to families
10310 with dependent children, ex-offenders and high school drop-outs for
10311 self-employment and entrepreneurial opportunities.

10312 Sec. 339. Section 32-479 of the general statutes is repealed and the
10313 following is substituted in lieu thereof (*Effective October 1, 2010*):

10314 Not later than July 1, 1996, the Commissioner of Economic and
10315 Community Development, the Labor Commissioner, the Connecticut
10316 Development Authority and Connecticut Innovations, Incorporated
10317 shall jointly develop goals and objectives and quantifiable outcome
10318 measures related to the percentage of financial assistance which is
10319 being provided to high performance work organizations. The [Labor]
10320 Commissioner of Economic and Community Development, the
10321 Connecticut Development Authority and Connecticut Innovations,
10322 Incorporated shall submit an annual report concerning such goals,
10323 objectives and measures to the joint standing committee of the General
10324 Assembly having cognizance of matters relating to labor and public
10325 employees and the joint standing committee having cognizance of
10326 matters relating to commerce.

10327 Sec. 340. Section 32-480 of the general statutes is repealed and the
10328 following is substituted in lieu thereof (*Effective October 1, 2010*):

10329 The Department of Economic and Community Development, [the
10330 Labor Department,] the Connecticut Development Authority and
10331 Connecticut Innovations, Incorporated shall, when appropriate,
10332 encourage persons, firms and corporations which contact said
10333 departments or authorities for financial assistance to utilize high
10334 performance work practices in their business operations.

10335 Sec. 341. (NEW) (*Effective October 1, 2010*) (a) On the effective date of
10336 this section, the Department of Public Safety shall assume all
10337 responsibilities of the Department of Emergency Management and
10338 Homeland Security pursuant to any provision of the general statutes.
10339 The transfer of functions, powers, duties, obligations, including, but
10340 not limited to, contract obligations, the continuance of orders and
10341 regulations, the effect upon pending actions and proceedings, the
10342 completion of unfinished business, and the transfer of records and
10343 property between the Department of Emergency Management and
10344 Homeland Security, as said department existed immediately prior to
10345 the effective date of this section, and the Department of Public Safety
10346 shall be governed by the provisions of subsections (a) to (d), inclusive,
10347 and subsection (f) of section 4-38d of the general statutes and sections
10348 4-38e and 4-39 of the general statutes.

10349 (b) Wherever the term "Department of Emergency Management and
10350 Homeland Security" are used or referred to in any public or special
10351 acts, the term "Department of Public Safety" shall be substituted in lieu
10352 thereof.

10353 (c) Wherever the term "Commissioner of Emergency Management
10354 and Homeland Security" is used or referred to in any public or special
10355 acts, the term "Commissioner of Public Safety" shall be substituted in
10356 lieu thereof.

10357 (d) Any order or regulation of the Department of Emergency
10358 Management and Homeland Security, which is in force on the effective
10359 date of this section, shall continue in force and effect as an order or
10360 regulation of the Department of Public Safety until amended, repealed

10361 or superseded pursuant to law. Where any order or regulation of said
10362 departments conflict, the Commissioner of Public Safety may
10363 implement policies and procedures consistent with the provisions of
10364 this section and sections 1-210, 4-5, 4-38c, 4-66f, 4b-136, 4d-90, 5-182, 5-
10365 213, 7-521, 10a-55a, 16-32e, 16-245n, 16-245aa, 16a-13b, 16a-106, 19a-
10366 131g, 19a-487, 21a-70c, 22a-601, 22a-603, 28-1, 28-1a, 28-1b, 28-1i, 28-1j,
10367 28-1k, 28-14a, 28-22a, 28-28a, 28-29a, 28-31, 29-1p and 54-142q of the
10368 general statutes, as amended by this act, while in the process of
10369 adopting the policy or procedure in regulation form, provided notice
10370 of intention to adopt regulations is printed in the Connecticut Law
10371 Journal within twenty days of implementation. The policy or
10372 procedure shall be valid until the time final regulations are effective.

10373 Sec. 342. Subdivision (19) of subsection (b) of section 1-210 of the
10374 2010 supplement to the general statutes is repealed and the following
10375 is substituted in lieu thereof (*Effective October 1, 2010*):

10376 (19) Records when there are reasonable grounds to believe
10377 disclosure may result in a safety risk, including the risk of harm to any
10378 person, any government-owned or leased institution or facility or any
10379 fixture or appurtenance and equipment attached to, or contained in,
10380 such institution or facility, except that such records shall be disclosed
10381 to a law enforcement agency upon the request of the law enforcement
10382 agency. Such reasonable grounds shall be determined (A) (i) by the
10383 Commissioner of Public Works, after consultation with the chief
10384 executive officer of an executive branch state agency, with respect to
10385 records concerning such agency; and (ii) by the Commissioner of
10386 [Emergency Management and Homeland Security] Public Safety, after
10387 consultation with the chief executive officer of a municipal, district or
10388 regional agency, with respect to records concerning such agency; (B)
10389 by the Chief Court Administrator with respect to records concerning
10390 the Judicial Department; and (C) by the executive director of the Joint
10391 Committee on Legislative Management, with respect to records
10392 concerning the Legislative Department. As used in this section,
10393 "government-owned or leased institution or facility" includes, but is
10394 not limited to, an institution or facility owned or leased by a public

10395 service company, as defined in section 16-1, a certified
10396 telecommunications provider, as defined in section 16-1, a water
10397 company, as defined in section 25-32a, or a municipal utility that
10398 furnishes electric, gas or water service, but does not include an
10399 institution or facility owned or leased by the federal government, and
10400 "chief executive officer" includes, but is not limited to, an agency head,
10401 department head, executive director or chief executive officer. Such
10402 records include, but are not limited to:

10403 (i) Security manuals or reports;

10404 (ii) Engineering and architectural drawings of government-owned
10405 or leased institutions or facilities;

10406 (iii) Operational specifications of security systems utilized at any
10407 government-owned or leased institution or facility, except that a
10408 general description of any such security system and the cost and
10409 quality of such system, may be disclosed;

10410 (iv) Training manuals prepared for government-owned or leased
10411 institutions or facilities that describe, in any manner, security
10412 procedures, emergency plans or security equipment;

10413 (v) Internal security audits of government-owned or leased
10414 institutions or facilities;

10415 (vi) Minutes or records of meetings, or portions of such minutes or
10416 records, that contain or reveal information relating to security or other
10417 records otherwise exempt from disclosure under this subdivision;

10418 (vii) Logs or other documents that contain information on the
10419 movement or assignment of security personnel;

10420 (viii) Emergency plans and emergency preparedness, response,
10421 recovery and mitigation plans, including plans provided by a person
10422 to a state agency or a local emergency management agency or official;
10423 and

10424 (ix) With respect to a water company, as defined in section 25-32a,
10425 that provides water service: Vulnerability assessments and risk
10426 management plans, operational plans, portions of water supply plans
10427 submitted pursuant to section 25-32d that contain or reveal
10428 information the disclosure of which may result in a security risk to a
10429 water company, inspection reports, technical specifications and other
10430 materials that depict or specifically describe critical water company
10431 operating facilities, collection and distribution systems or sources of
10432 supply;

10433 Sec. 343. Subsection (d) of section 1-210 of the 2010 supplement to
10434 the general statutes is repealed and the following is substituted in lieu
10435 thereof (*Effective October 1, 2010*):

10436 (d) Whenever a public agency, except the Judicial Department or
10437 Legislative Department, receives a request from any person for
10438 disclosure of any records described in subdivision (19) of subsection
10439 (b) of this section under the Freedom of Information Act, the public
10440 agency shall promptly notify the Commissioner of Public Works or the
10441 Commissioner of [Emergency Management and Homeland Security]
10442 Public Safety, as applicable, of such request, in the manner prescribed
10443 by such commissioner, before complying with the request as required
10444 by the Freedom of Information Act and for information related to a
10445 water company, as defined in section 25-32a, the public agency shall
10446 promptly notify the water company before complying with the request
10447 as required by the Freedom of Information Act. If the commissioner,
10448 after consultation with the chief executive officer of the applicable
10449 agency or after consultation with the chief executive officer of the
10450 applicable water company for information related to a water company,
10451 as defined in section 25-32a, believes the requested record is exempt
10452 from disclosure pursuant to subdivision (19) of subsection (b) of this
10453 section, the commissioner may direct the agency to withhold such
10454 record from such person. In any appeal brought under the provisions
10455 of section 1-206 of the Freedom of Information Act for denial of access
10456 to records for any of the reasons described in subdivision (19) of
10457 subsection (b) of this section, such appeal shall be against the chief

10458 executive officer of the executive branch state agency or the municipal,
10459 district or regional agency that issued the directive to withhold such
10460 record pursuant to subdivision (19) of subsection (b) of this section,
10461 exclusively, or, in the case of records concerning Judicial Department
10462 facilities, the Chief Court Administrator or, in the case of records
10463 concerning the Legislative Department, the executive director of the
10464 Joint Committee on Legislative Management.

10465 Sec. 344. Section 4-5 of the 2010 supplement to the general statutes is
10466 repealed and the following is substituted in lieu thereof (*Effective*
10467 *October 1, 2010*):

10468 As used in sections 4-6, 4-7 and 4-8, the term "department head"
10469 means Secretary of the Office of Policy and Management,
10470 Commissioner of Administrative Services, Commissioner of Revenue
10471 Services, Banking Commissioner, Commissioner of Children and
10472 Families, Commissioner of Consumer Protection, Commissioner of
10473 Correction, Commissioner of Economic and Community Development,
10474 State Board of Education, [Commissioner of Emergency Management
10475 and Homeland Security,] Commissioner of Environmental Protection,
10476 Commissioner of Agriculture, Commissioner of Public Health,
10477 Insurance Commissioner, Labor Commissioner, Liquor Control
10478 Commission, Commissioner of Mental Health and Addiction Services,
10479 Commissioner of Public Safety, Commissioner of Social Services,
10480 Commissioner of Developmental Services, Commissioner of Motor
10481 Vehicles, Commissioner of Transportation, Commissioner of Public
10482 Works, Commissioner of Veterans' Affairs, Chief Information Officer,
10483 the chairperson of the Public Utilities Control Authority, the executive
10484 director of the Board of Education and Services for the Blind, the
10485 executive director of the Connecticut Commission on Culture and
10486 Tourism, and the executive director of the Office of Military Affairs. As
10487 used in sections 4-6 and 4-7, "department head" also means the
10488 Commissioner of Education.

10489 Sec. 345. Section 4-38c of the general statutes is repealed and the
10490 following is substituted in lieu thereof (*Effective October 1, 2010*):

10491 There shall be within the executive branch of state government the
10492 following departments: Office of Policy and Management, Department
10493 of Administrative Services, Department of Revenue Services,
10494 Department of Banking, Department of Agriculture, Department of
10495 Children and Families, Department of Consumer Protection,
10496 Department of Correction, Department of Economic and Community
10497 Development, State Board of Education, [Department of Emergency
10498 Management and Homeland Security,] Department of Environmental
10499 Protection, Department of Public Health, Board of Governors of
10500 Higher Education, Insurance Department, Labor Department,
10501 Department of Mental Health and Addiction Services, Department of
10502 Developmental Services, Department of Public Safety, Department of
10503 Social Services, Department of Transportation, Department of Motor
10504 Vehicles, Department of Veterans' Affairs, Department of Public
10505 Works and Department of Public Utility Control.

10506 Sec. 346. Section 4-66f of the general statutes is repealed and the
10507 following is substituted in lieu thereof (*Effective October 1, 2010*):

10508 Notwithstanding any provision of the general statutes or the
10509 regulations adopted thereunder, disaster assistance funds received by
10510 the Department of [Emergency Management and Homeland Security]
10511 Public Safety from the Federal Emergency Management Agency for
10512 administration may be maintained in a separate fund or separate
10513 account within the General Fund and used for any administrative
10514 functions. The balance of any such funds remaining at the end of each
10515 fiscal year shall be carried forward for the fiscal year next succeeding.

10516 Sec. 347. Subsection (a) of section 4b-136 of the general statutes is
10517 repealed and the following is substituted in lieu thereof (*Effective*
10518 *October 1, 2010*):

10519 (a) There is established a State-Wide Security Management Council.
10520 The council shall consist of the Commissioner of Public Safety, the
10521 Commissioner of Administrative Services, the Commissioner of
10522 Mental Health and Addiction Services, the Commissioner of Public

10523 Works, [the Commissioner of Emergency Management and Homeland
10524 Security,] the Secretary of the Office of Policy and Management, the
10525 Chief Court Administrator, an attorney appointed by the
10526 Commissioner of Public Works, the executive director of the Joint
10527 Committee on Legislative Management, a representative of the
10528 Governor, a representative of the State Employees Bargaining Agent
10529 Coalition and the president of the Connecticut State Police Union or
10530 the president's designee. The Commissioner of Public Works shall
10531 serve as chairperson of the council. Each council member shall provide
10532 technical assistance in the member's area of expertise, as required by
10533 the council.

10534 Sec. 348. Subsection (a) of section 4d-90 of the general statutes is
10535 repealed and the following is substituted in lieu thereof (*Effective*
10536 *October 1, 2010*):

10537 (a) There is established a Geospatial Information Systems Council
10538 consisting of the following members, or their designees: (1) The
10539 Secretary of the Office of Policy and Management; (2) the
10540 Commissioners of Environmental Protection, Economic and
10541 Community Development, Transportation, Public Safety, Public
10542 Health, Public Works, Agriculture [, Emergency Management and
10543 Homeland Security] and Social Services; (3) the Chief Information
10544 Officer of the Department of Information Technology; (4) the
10545 Chancellor of the Connecticut State University System; (5) the
10546 president of The University of Connecticut; (6) the Executive Director
10547 of the Connecticut Siting Council; (7) one member who is a user of
10548 geospatial information systems appointed by the president pro
10549 tempore of the Senate representing a municipality with a population of
10550 more than sixty thousand; (8) one member who is a user of geospatial
10551 information systems appointed by the minority leader of the Senate
10552 representing a regional planning agency; (9) one member who is a user
10553 of geospatial information systems appointed by the Governor
10554 representing a municipality with a population of less than sixty
10555 thousand but more than thirty thousand; (10) one member who is a
10556 user of geospatial information systems appointed by the speaker of the

10557 House of Representatives representing a municipality with a
10558 population of less than thirty thousand; (11) one member appointed by
10559 the minority leader of the House of Representatives who is a user of
10560 geospatial information systems; (12) the chairperson of the Public
10561 [Utility] Utilities Control Authority; (13) the Adjutant General of the
10562 Military Department; and (14) any other persons the council deems
10563 necessary appointed by the council. The Governor shall select the
10564 chairperson from among the members. The chairperson shall
10565 administer the affairs of the council. Vacancies shall be filled by
10566 appointment by the authority making the appointment. Members shall
10567 receive no compensation for their services on said council, but shall be
10568 reimbursed for necessary expenses incurred in the performance of
10569 their duties. Said council shall hold one meeting each calendar quarter
10570 and such additional meetings as may be prescribed by council rules. In
10571 addition, special meetings may be called by the chairperson or by any
10572 three members upon delivery of forty-eight hours written notice to
10573 each member.

10574 Sec. 349. Subsection (d) of section 5-182 of the general statutes is
10575 repealed and the following is substituted in lieu thereof (*Effective*
10576 *October 1, 2010*):

10577 (d) Any employee of the radiological maintenance and calibration
10578 facility shall be credited for retirement purposes under this chapter
10579 with his period of full-time service commencing with the date upon
10580 which such employee began work at said facility under individual
10581 contract with the Commissioner of [Emergency Management and
10582 Homeland Security] Public Safety upon payment into the State
10583 Employees Retirement Fund of such contributions as he would have
10584 paid if he had been a state employee during the period of such service
10585 and his salary for such service had been paid by the state, with five per
10586 cent interest on such contribution from the date of his entry into such
10587 service to the date of payment.

10588 Sec. 350. Subsection (d) of section 5-213 of the general statutes is
10589 repealed and the following is substituted in lieu thereof (*Effective*

10590 *October 1, 2010*):

10591 (d) The term of employment in state service shall be construed to
10592 include, in the case of an employee of the radiological maintenance
10593 and calibration facility, the term of his service from the date upon
10594 which he began work at said facility under individual contract with
10595 the Commissioner of [Emergency Management and Homeland
10596 Security] Public Safety, upon receipt of data satisfactory to the
10597 Commissioner of Administrative Services showing the time such
10598 employee worked for said facility. All records of the state which show
10599 the length of service in the employment of the state of any employee of
10600 said facility shall be maintained to show the length of such service and
10601 the total time of state service.

10602 Sec. 351. Section 7-521 of the general statutes is repealed and the
10603 following is substituted in lieu thereof (*Effective October 1, 2010*):

10604 (a) There is established a Local Emergency Relief Advisory
10605 Committee comprised of: The Secretary of the Office of Policy and
10606 Management, the Commissioner of Administrative Services, the
10607 Commissioner of Transportation, the Commissioner of Public Safety [,]
10608 and the Adjutant General of the Military Department, [and the
10609 Commissioner of Emergency Management and Homeland Security,] or
10610 their designees; the president pro tempore of the Senate, the minority
10611 leader of the Senate, the speaker of the House of Representatives, and
10612 the minority leader of the House of Representatives, or their designees;
10613 a member of the Senate who shall be appointed by the president pro
10614 tempore of the Senate and a member of the House of Representatives
10615 who shall be appointed by the speaker of the House of
10616 Representatives.

10617 (b) The Commissioner of [Emergency Management and Homeland
10618 Security] Public Safety shall serve as the chairman of the Local
10619 Emergency Relief Advisory Committee. The committee may adopt
10620 such bylaws and guidelines and shall adopt such eligibility standards
10621 as it deems advisable to carry out the purposes of sections 7-520 to

10622 7-522, inclusive. The Local Emergency Relief Advisory Committee
10623 shall not be deemed to be an agency for the purposes of chapter 54.

10624 Sec. 352. Subsection (c) of section 10a-55a of the general statutes is
10625 repealed and the following is substituted in lieu thereof (*Effective*
10626 *October 1, 2010*):

10627 (c) On or before October 1, 2007, each institution of higher education
10628 and private occupational school, as defined in section 10a-22a shall
10629 have an emergency response plan. On or before October 1, 2007, and
10630 annually thereafter, each institution of higher education and private
10631 occupational school shall submit a copy of its emergency response plan
10632 to (1) the [Commissioners] Commissioner of Public Safety, [and
10633 Emergency Management and Homeland Security,] and (2) local first
10634 responders. Such plan shall be developed in consultation with such
10635 first responders and shall include a strategy for notifying students and
10636 employees of the institution or school and visitors to such institution
10637 or school of emergency information.

10638 Sec. 353. Subsection (b) of section 16-32e of the general statutes is
10639 repealed and the following is substituted in lieu thereof (*Effective*
10640 *October 1, 2010*):

10641 (b) Not later than June 1, 1996, and every five years thereafter, each
10642 public service company, as defined in section 16-1, each
10643 telecommunications company, as defined in said section, that installs,
10644 maintains, operates or controls poles, wires, conduits or other fixtures
10645 under or over any public highway for the provision of
10646 telecommunications service authorized by section 16-247c, and each
10647 municipal utility furnishing electric, gas or water service shall file with
10648 the Department of Public Utility Control, the Department of
10649 [Emergency Management and Homeland Security] Public Safety and
10650 each municipality located within the service area of the public service
10651 company, telecommunications company or municipal utility an
10652 updated plan for restoring service which is interrupted as a result of an
10653 emergency, except no such plan shall be required of a public service

10654 company or municipal utility that submits a water supply plan
10655 pursuant to section 25-32d. Plans filed by public service companies
10656 and municipal utilities furnishing water shall be prepared in
10657 accordance with the memorandum of understanding entered into
10658 pursuant to section 4-67e. Not later than September 15, 1996, and every
10659 five years thereafter, the Department of Public Utility Control may
10660 conduct public hearings on such plans and, in consultation with the
10661 Department of [Emergency Management and Homeland Security]
10662 Public Safety, the Department of Public Health and the joint standing
10663 committee of the General Assembly having cognizance of matters
10664 relating to public utilities, revise such plans to the extent necessary to
10665 provide properly for the public convenience, necessity and welfare. If
10666 the Department of Public Utility Control revises the emergency plan of
10667 a public service company, telecommunications company or municipal
10668 utility, such company or municipal utility shall file a copy of the
10669 revised plan with each municipality located within the service area of
10670 the company.

10671 Sec. 354. Subsection (e) of section 16-245n of the general statutes is
10672 repealed and the following is substituted in lieu thereof (*Effective*
10673 *October 1, 2010*):

10674 (e) The Renewable Energy Investments Board shall include not
10675 more than fifteen individuals with knowledge and experience in
10676 matters related to the purpose and activities of the Renewable Energy
10677 Investment Fund. The board shall consist of the following members:
10678 (1) One person with expertise regarding renewable energy resources
10679 appointed by the speaker of the House of Representatives; (2) one
10680 person representing a state or regional organization primarily
10681 concerned with environmental protection appointed by the president
10682 pro tempore of the Senate; (3) one person with experience in business
10683 or commercial investments appointed by the majority leader of the
10684 House of Representatives; (4) one person representing a state or
10685 regional organization primarily concerned with environmental
10686 protection appointed by the majority leader of the Senate; (5) one
10687 person with experience in business or commercial investments

10688 appointed by the minority leader of the House of Representatives; (6)
10689 the Commissioner of [Emergency Management and Homeland
10690 Security] Public Safety or the commissioner's designee; (7) one person
10691 with expertise regarding renewable energy resources appointed by the
10692 Governor; (8) two persons with experience in business or commercial
10693 investments appointed by the board of directors of Connecticut
10694 Innovations, Incorporated; (9) a representative of a state-wide business
10695 association, manufacturing association or chamber of commerce
10696 appointed by the minority leader of the Senate; (10) the Consumer
10697 Counsel; (11) the Secretary of the Office of Policy and Management or
10698 the secretary's designee; (12) the Commissioner of Environmental
10699 Protection or the commissioner's designee; (13) a representative of
10700 organized labor appointed by the Governor; and (14) a representative
10701 of residential customers or low-income customers appointed by
10702 Governor. On a biennial basis, the board shall elect a chairperson and
10703 vice-chairperson from among its members and shall adopt such
10704 bylaws and procedures it deems necessary to carry out its functions.
10705 The board may establish committees and subcommittees as necessary
10706 to conduct its business.

10707 Sec. 355. Subsection (b) of section 16-245aa of the general statutes is
10708 repealed and the following is substituted in lieu thereof (*Effective*
10709 *October 1, 2010*):

10710 (b) Connecticut Innovations, Incorporated, in consultation with the
10711 Department of Public Utility Control, the Department of Education
10712 and the Department of [Emergency Management and Homeland
10713 Security] Public Safety, shall establish a municipal renewable energy
10714 and efficient energy generation grant program. Connecticut
10715 Innovations, Incorporated, shall make grants under said program to
10716 municipalities for the purchase of (1) renewable energy sources,
10717 including solar energy, geothermal energy and fuel cells or other
10718 energy-efficient hydrogen-fueled energy, or (2) energy-efficient
10719 generation sources, including units providing combined heat-and-
10720 power operations with greater than sixty-five per cent efficiency or
10721 such higher efficiency level as Connecticut Innovations, Incorporated,

10722 may prescribe, for municipal buildings. Connecticut Innovations,
10723 Incorporated, shall give priority to applications for grants for disaster
10724 relief centers and high schools. Each grant shall be in an amount that
10725 makes the cost of purchasing and operating the renewable energy or
10726 energy-efficient generation source competitive with the municipality's
10727 current electricity expenses.

10728 Sec. 356. Section 16a-13b of the general statutes is repealed and the
10729 following is substituted in lieu thereof (*Effective October 1, 2010*):

10730 (a) The secretary shall: (1) Be responsible for the conduct and
10731 administration of energy emergency planning and preparedness
10732 activities generally, including the coordination of such activities under
10733 this title with other state emergency planning conducted under any
10734 other provisions of the general statutes or special acts and with energy
10735 emergency planning or preparedness activities undertaken by the
10736 federal government, other states and regional or interstate
10737 organizations, and (2) coordinate, under the direction of the office of
10738 the Governor, the adoption and implementation of emergency
10739 measures by state departments during any energy emergency
10740 proclaimed under section 16a-11 or section 16a-12, including the
10741 coordination of state, federal, regional and interstate activities.

10742 (b) In exercising the responsibilities under subsection (a) of this
10743 section, the secretary shall consult with [the Department of Emergency
10744 Management and Homeland Security,] the Department of Public
10745 Safety, the Department of Public Utility Control, the Department of
10746 Transportation and such other state agencies as the secretary deems
10747 appropriate. Each state agency shall assist the secretary in carrying out
10748 the responsibilities assigned by sections 16a-9 to 16a-13d, inclusive.

10749 Sec. 357. Subsection (c) of section 16a-106 of the general statutes is
10750 repealed and the following is substituted in lieu thereof (*Effective*
10751 *October 1, 2010*):

10752 (c) The Commissioner of Transportation shall, not later than
10753 November 1, 1976, and after consultation with the Commissioners of

10754 Environmental Protection [] and Public Safety, [and Emergency
10755 Management and Homeland Security,] the Secretary of the Office of
10756 Policy and Management, representatives of the federal Nuclear
10757 Regulatory Commission and the United States Department of
10758 Transportation, adopt regulations pursuant to chapter 54, to carry out
10759 the provisions of this section. The Commissioner of Transportation
10760 shall, after consultation with the Commissioner of Public Safety,
10761 establish by regulations adopted pursuant to chapter 54 a permit fee
10762 schedule commensurate with the cost of administering the provisions
10763 of this section.

10764 Sec. 358. Section 19a-131g of the general statutes is repealed and the
10765 following is substituted in lieu thereof (*Effective October 1, 2010*):

10766 The Commissioner of Public Health shall establish a Public Health
10767 Preparedness Advisory Committee. The advisory committee shall
10768 consist of the Commissioner of Public Health, the Commissioner of
10769 [Emergency Management and Homeland Security] Public Safety, the
10770 president pro tempore of the Senate, the speaker of the House of
10771 Representatives, the majority and minority leaders of both houses of
10772 the General Assembly and the chairpersons and ranking members of
10773 the joint standing committees of the General Assembly having
10774 cognizance of matters relating to public health, public safety and the
10775 judiciary, and representatives of town, city, borough and district
10776 directors of health, as appointed by the commissioner, and any other
10777 organization or persons that the commissioner deems relevant to the
10778 issues of public health preparedness. The Public Health Preparedness
10779 Advisory Committee shall develop the plan for emergency responses
10780 to a public health emergency. Such plan may include an emergency
10781 notification service. Not later than January 1, 2004, and annually
10782 thereafter, the committee shall submit a report, in accordance with
10783 section 11-4a, to the Governor and the joint standing committees of the
10784 General Assembly having cognizance of matters relating to public
10785 health and public safety, on the status of a public health emergency
10786 plan and the resources needed for implementation of such plan.

10787 Sec. 359. Subsection (a) of section 19a-487 of the general statutes is
10788 repealed and the following is substituted in lieu thereof (*Effective*
10789 *October 1, 2010*):

10790 (a) There is established a board of directors to advise the
10791 Department of Public Health on the operations of the mobile field
10792 hospital. The board shall consist of the following members: The
10793 Commissioners of Public Health, [Emergency Management and
10794 Homeland Security,] Public Safety and Social Services, or their
10795 designees, the Secretary of the Office of Policy and Management, or the
10796 secretary's designee, the Adjutant General, or the Adjutant General's
10797 designee, one representative of a hospital in this state with more than
10798 five hundred licensed beds and one representative of a hospital in this
10799 state with five hundred or fewer licensed beds, both appointed by the
10800 Commissioner of Public Health. The Commissioner of Public Health
10801 shall be the chairperson of the board. The board shall adopt bylaws
10802 and shall meet at such times as specified in such bylaws and at such
10803 other times as the Commissioner of Public Health deems necessary.

10804 Sec. 360. Subsection (a) of section 21a-70c of the general statutes is
10805 repealed and the following is substituted in lieu thereof (*Effective*
10806 *October 1, 2010*):

10807 (a) The Commissioner of Consumer Protection shall convene a
10808 working group comprised of the [Commissioners] Commissioner of
10809 Consumer Protection, [and Emergency Management and Homeland
10810 Security, or their designees] or the commissioner's designee, a member
10811 of the Commission of Pharmacy, the chairpersons of the joint standing
10812 committee of the General Assembly having cognizance of matters
10813 relating to public health, or their designees, and representatives of
10814 retail drug establishments, independent pharmacies and
10815 pharmaceutical manufacturers. The working group shall be
10816 responsible for submitting recommendations to the Governor and to
10817 the joint standing committee of the General Assembly having
10818 cognizance of matters relating to public health concerning the
10819 development and implementation of a program to authenticate the

10820 pedigree of prescription drugs distributed in this state.

10821 Sec. 361. Subsection (a) of section 22a-601 of the general statutes is
10822 repealed and the following is substituted in lieu thereof (*Effective*
10823 *October 1, 2010*):

10824 (a) There is established a Connecticut Emergency Response
10825 Commission which shall be within the Department of Environmental
10826 Protection. The commission shall consist of [nineteen] eighteen
10827 members as follows: The Commissioners of Environmental Protection,
10828 [Emergency Management and Homeland Security,] Public Safety,
10829 Public Health and Transportation, the Labor Commissioner, the
10830 Secretary of the Office of Policy and Management, the Adjutant
10831 General of the Military Department, the State Fire Marshal and the
10832 State Fire Administrator, or their designees, and nine members
10833 appointed by the Governor, four of whom shall represent the public,
10834 three of whom shall represent owners or operators of facilities, one of
10835 whom shall be the fire chief of a municipal fire department whose
10836 employees are compensated for their services and one of whom shall
10837 be the fire chief of a volunteer fire department. Members of the
10838 commission appointed by the Governor shall serve for two years. The
10839 Governor shall fill any vacancy in the office of an appointed member
10840 for the unexpired portion of the term. Members of the commission
10841 shall serve without compensation but shall be reimbursed for
10842 necessary expenses incurred in the performance of their duties. The
10843 chairperson of the commission shall be appointed by the Governor and
10844 shall serve at his pleasure.

10845 Sec. 362. Section 22a-603 of the general statutes is repealed and the
10846 following is substituted in lieu thereof (*Effective October 1, 2010*):

10847 The Commissioner of [Emergency Management and Homeland
10848 Security] Public Safety shall implement the state emergency planning
10849 activities required pursuant to the Emergency Planning and
10850 Community Right-to-Know Act.

10851 Sec. 363. Section 28-1 of the general statutes is repealed and the

10852 following is substituted in lieu thereof (*Effective October 1, 2010*):

10853 As used in this chapter:

10854 (1) "Attack" means any attack or series of attacks by an enemy of the
10855 United States causing, or which may cause, substantial damage or
10856 injury to civilian property or persons in the United States in any
10857 manner by sabotage or by the use of bombs, shellfire or atomic,
10858 radiological, chemical, bacteriological or biological means or other
10859 weapons or processes.

10860 (2) "Major disaster" means any catastrophe including, but not
10861 limited to, any hurricane, tornado, storm, high water, wind-driven
10862 water, tidal wave, tsunami, earthquake, volcanic eruption, landslide,
10863 mudslide, snowstorm or drought, or, regardless of cause, any fire,
10864 flood, explosion, or manmade disaster in any part of this state that, in
10865 the determination of the President, causes damage of sufficient
10866 severity and magnitude to warrant major disaster assistance under the
10867 Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42
10868 USC 5121 et seq., as amended from time to time, to supplement the
10869 efforts and available resources of this state, local governments thereof,
10870 and disaster relief organizations in alleviating the damage, loss,
10871 hardship, or suffering caused thereby.

10872 (3) "Emergency" means any occasion or instance for which, in the
10873 determination of the President, federal assistance is needed to
10874 supplement state and local efforts and capabilities to save lives and
10875 protect property, public health and safety or to avert or lessen the
10876 threat of a disaster or catastrophe in any part of this state.

10877 (4) "Civil preparedness" means all those activities and measures
10878 designed or undertaken (A) to minimize or control the effects upon the
10879 civilian population of major disaster, (B) to minimize the effects upon
10880 the civilian population caused or which would be caused by an attack
10881 upon the United States, (C) to deal with the immediate emergency
10882 conditions which would be created by any such attack, major disaster
10883 or emergency, and (D) to effectuate emergency repairs to, or the

10884 emergency restoration of, vital utilities and facilities destroyed or
10885 damaged by any such attack, major disaster or emergency. Such term
10886 shall include, but shall not be limited to, (i) measures to be taken in
10887 preparation for anticipated attack, major disaster or emergency,
10888 including the establishment of appropriate organizations, operational
10889 plans and supporting agreements; the recruitment and training of
10890 personnel; the conduct of research; the procurement and stockpiling of
10891 necessary materials and supplies; the provision of suitable warning
10892 systems; the construction and preparation of shelters, shelter areas and
10893 control centers; and, when appropriate, the nonmilitary evacuation of
10894 the civilian population, pets and service animals; (ii) measures to be
10895 taken during attack, major disaster or emergency, including the
10896 enforcement of passive defense regulations prescribed by duly
10897 established military or civil authorities; the evacuation of personnel to
10898 shelter areas; the control of traffic and panic; and the control and use of
10899 lighting and civil communication; and (iii) measures to be taken
10900 following attack, major disaster or emergency, including activities for
10901 fire fighting; rescue, emergency medical, health and sanitation
10902 services; monitoring for specific hazards of special weapons;
10903 unexploded bomb reconnaissance; essential debris clearance;
10904 emergency welfare measures; and immediately essential emergency
10905 repair or restoration of damaged vital facilities.

10906 (5) "Civil preparedness forces" means any organized personnel
10907 engaged in carrying out civil preparedness functions in accordance
10908 with the provisions of this chapter or any regulation or order adopted
10909 pursuant to this chapter. All the police and fire forces of the state or
10910 any political subdivision of the state, or any part of any political
10911 subdivision, including all the auxiliaries of these forces and emergency
10912 medical service personnel licensed or certified pursuant to section 19a-
10913 179, shall be construed to be a part of the civil preparedness forces. The
10914 Connecticut Disaster Medical Assistance Team and the Medical
10915 Reserve Corps, under the auspices of the Department of Public Health,
10916 the Connecticut Urban Search and Rescue Team, under the auspices of
10917 the Department of [Emergency Management and Homeland Security]

10918 Public Safety, and the Connecticut behavioral health regional crisis
10919 response teams, under the auspices of the Department of Mental
10920 Health and Addiction Services and the Department of Children and
10921 Families, and their members, shall be construed to be a part of the civil
10922 preparedness forces while engaging in authorized civil preparedness
10923 duty or while assisting or engaging in authorized training for the
10924 purpose of eligibility for immunity from liability as provided in section
10925 28-13 and for death, disability and injury benefits as provided in
10926 section 28-14. Any member of the civil preparedness forces who is
10927 called upon either by civil preparedness personnel or state or
10928 municipal police personnel to assist in any emergency shall be deemed
10929 to be engaging in civil preparedness duty while assisting in such
10930 emergency or while engaging in training under the auspices of [the
10931 Department of Emergency Management and Homeland Security,] the
10932 Department of Public Safety, the Division of State Police within the
10933 Department of Public Safety or a municipal police department, for the
10934 purpose of eligibility for death, disability and injury benefits as
10935 provided in section 28-14.

10936 (6) "Mobile support unit" means an organization of civil
10937 preparedness forces created in accordance with the provisions of this
10938 chapter to be dispatched by the Governor or Commissioner of
10939 [Emergency Management and Homeland Security] Public Safety to
10940 supplement civil preparedness forces in a stricken or threatened area.

10941 (7) "Civil preparedness emergency" or "disaster emergency" means
10942 an emergency declared by the Governor under the provisions of this
10943 chapter in the event of serious disaster or of enemy attack, sabotage or
10944 other hostile action within the state or a neighboring state, or in the
10945 event of the imminence thereof.

10946 (8) "Local civil preparedness emergency" or "disaster emergency"
10947 means an emergency declared by the chief executive officer of any
10948 town or city in the event of serious disaster affecting such town or city.

10949 (9) "Governor" means the Governor or anyone legally administering

10950 the office of Governor.

10951 (10) "Commissioner" means the Commissioner of [Emergency
10952 Management and Homeland Security] Public Safety.

10953 (11) "Department" means the Department of [Emergency
10954 Management and Homeland Security] Public Safety.

10955 (12) "Political subdivision" means any city, town, municipality,
10956 borough or other unit of local government.

10957 Sec. 364. Section 28-1a of the general statutes is repealed and the
10958 following is substituted in lieu thereof (*Effective October 1, 2010*):

10959 (a) [There is established a Department of Emergency Management
10960 and Homeland Security. Said department] The Department of Public
10961 Safety shall be the designated emergency management and homeland
10962 security agency for the state. [The department head shall be the
10963 commissioner, who shall be appointed by the Governor in accordance
10964 with the provisions of sections 4-5, 4-6, 4-7 and 4-8 with the powers
10965 and duties prescribed in said sections. The commissioner shall possess
10966 professional training and knowledge consisting of not less than five
10967 years of managerial or strategic planning experience in matters relating
10968 to public safety, security, emergency services and emergency response.
10969 No person possessing a record of any criminal, unlawful or unethical
10970 conduct shall be eligible for or hold such position. Any person with
10971 any present or past political activities or financial interests that may
10972 substantially conflict with the duties of the commissioner or expose
10973 such person to potential undue influence or compromise such person's
10974 ability to be entrusted with necessary state or federal security
10975 clearances or information shall be deemed unqualified for such
10976 position and shall not be eligible to hold such position. The
10977 commissioner shall be the chief administrative officer of the
10978 department and] The Commissioner of Public Safety shall have the
10979 responsibility for providing a coordinated, integrated program for
10980 state-wide emergency management and homeland security. The
10981 commissioner may do all things necessary to apply for, qualify for and

10982 accept any federal funds made available or allotted under any federal
10983 act relative to emergency management or homeland security.

10984 (b) With reasonable conformance to applicable federal statutes and
10985 administrative regulations of the Federal Emergency Management
10986 Agency and the requirements of the Connecticut emergency
10987 operations plan, the commissioner shall organize the department and
10988 the personnel of the department as may be necessary for the effective
10989 discharge of the authorized emergency management, civil
10990 preparedness and homeland security missions, including, but not
10991 limited to, the provisions of the Connecticut emergency operations
10992 plan and the national plan for civil preparedness. Any department
10993 personnel may be removed by the commissioner for security reasons
10994 or for incompetence, subject to reinstatement by the Employees'
10995 Review Board. The commissioner may enter into contracts for the
10996 furnishing by any person or agency, public or private, of services
10997 necessary for the proper execution of the duties of the department.
10998 Any such contract that has a cost of three thousand dollars or more
10999 shall be subject to the approval of the Attorney General.

11000 (c) The commissioner shall be responsible for: (1) Coordinating with
11001 state and local government personnel, agencies and authorities and the
11002 private sector to ensure adequate planning, equipment, training and
11003 exercise activities by such personnel, agencies and authorities and the
11004 private sector with regard to homeland security; (2) coordinating, and
11005 as may be necessary, consolidating homeland security
11006 communications and communications systems of the state government
11007 with state and local government personnel, agencies and authorities,
11008 the general public and the private sector; (3) distributing and, as may
11009 be appropriate, coordinating the distribution of information and
11010 security warnings to state and local government personnel, agencies
11011 and authorities and the general public; and (4) establishing standards
11012 and security protocols for the use of any intelligence information.

11013 (d) The commissioner may adopt such regulations, in accordance
11014 with the provisions of chapter 54, as necessary to implement the duties

11015 of the department.

11016 (e) The commissioner shall, in consultation with the bargaining unit
11017 representing state police, enter into an interagency memorandum of
11018 understanding with [the Department of Public Safety and] the Military
11019 Department to provide for (1) the temporary assignment and
11020 retrenchment rights of [state police and] employees of the Military
11021 Department to work in the department, and (2) interagency
11022 information sharing. Any such personnel temporarily assigned shall
11023 act under the direction of the commissioner. The Military Department
11024 [of Public Safety and the Military Department, respectively,] shall
11025 retain administrative control over such personnel.

11026 (f) The commissioner may request and may receive from any
11027 federal, state or local agency, cooperation and assistance in the
11028 performance of the duties of the department, including the temporary
11029 assignment of personnel necessary to perform the functions of the
11030 department. Any such personnel temporarily assigned shall act under
11031 the direction of the commissioner. The federal, state or local agency
11032 shall retain administrative control over such personnel. For purposes
11033 of section 5-141d, such personnel temporarily assigned shall be
11034 deemed to be acting as state employees while assigned to, and
11035 performing the duties of, the department.

11036 (g) The functions, powers, duties and, as determined to be necessary
11037 by the commissioner, personnel of [the Division of Homeland Security
11038 within the Department of Public Safety and] the Office of Emergency
11039 Management within the Military Department shall be transferred to
11040 the Department of [Emergency Management and Homeland Security]
11041 Public Safety in accordance with the provisions of sections 4-38d, 4-38e
11042 and 4-39.

11043 Sec. 365. Section 28-1b of the general statutes is repealed and the
11044 following is substituted in lieu thereof (*Effective October 1, 2010*):

11045 (a) There is established a state-wide Emergency Management and
11046 Homeland Security Coordinating Council to advise the Department of

11047 Public Safety [, the Office of Emergency Management and, on and after
11048 January 1, 2005, the Department of Emergency Management and
11049 Homeland Security] with respect to: (1) Application and distribution of
11050 federal or state funds for emergency management and homeland
11051 security; (2) planning, design, implementation and coordination of
11052 state-wide emergency response systems; (3) assessing the state's
11053 overall emergency management and homeland security preparedness,
11054 policies and communications; (4) the recommendation of strategies to
11055 improve emergency response and incident management including, but
11056 not limited to, training and exercises, volunteer management,
11057 communications and use of technology, intelligence gathering,
11058 compilation and dissemination, the development, coordination and
11059 implementation of state and federally required emergency response
11060 plans, and the assessment of the state's use of regional management
11061 structures; and (5) strengthening consultation, planning, cooperation
11062 and communication among federal, state and local governments, the
11063 Connecticut National Guard, police, fire, emergency medical and other
11064 first responders, emergency managers, public health officials, private
11065 industry and community organizations. The council shall advise the
11066 Governor and the General Assembly on its findings and efforts to
11067 secure the state from all disasters and emergencies and to enhance the
11068 protection of the citizens of the state.

11069 (b) The council shall consist of: (1) The [Commissioner of
11070 Emergency Management and Homeland Security; the] Secretary of the
11071 Office of Policy and Management; the Commissioner of Public Safety;
11072 the Commissioner of Public Health; the Commissioner of Mental
11073 Health and Addiction Services; the Commissioner of Environmental
11074 Protection; the Commissioner of Public Works; the Commissioner of
11075 Transportation; the Adjutant General of the Military Department; the
11076 chairperson of the Department of Public Utility Control; the Chief
11077 Information Officer [, as defined in section 4d-1] of the Department of
11078 Information Technology; the State Fire Administrator; or their
11079 designees; and (2) the following members appointed as follows: Two
11080 municipal police chiefs, one appointed by the speaker of the House of

11081 Representatives and one appointed by the Governor; two municipal
11082 fire chiefs, one appointed by the president pro tempore of the Senate
11083 and one appointed by the Governor; one volunteer fire chief appointed
11084 by the minority leader of the Senate; one representative of the
11085 Connecticut Conference of Municipalities appointed by the majority
11086 leader of the Senate; one representative of the Council of Small Towns
11087 appointed by the minority leader of the House of Representatives; two
11088 local or regional emergency management directors, one appointed by
11089 the speaker of the House of Representatives and one designated, not
11090 later than July 1, 2007, by the president of the Connecticut Emergency
11091 Management Association; one local or regional health director
11092 appointed by the president pro tempore of the Senate; one emergency
11093 medical services professional appointed by the Governor; one
11094 nonprofit hospital administrator appointed by the majority leader of
11095 the House of Representatives; and one manager or coordinator of 9-1-1
11096 public safety answering points appointed by the Governor. Each
11097 member appointed under this subdivision shall serve for a term of
11098 three years from July 1, 2004, or three years from the time of
11099 appointment if appointed after July 1, 2004, or until a qualified
11100 successor has been appointed to replace such member. No member
11101 appointed under this subdivision shall receive any compensation for
11102 such member's service on the council.

11103 (c) [The Secretary of the Office of Policy and Management, or the
11104 secretary's designee who shall be an employee of said office, shall
11105 serve as chairperson of the council until January 1, 2005. On and after
11106 January 1, 2005, the Commissioner of Emergency Management and
11107 Homeland Security shall serve as chairperson.] The Commissioner of
11108 Public Safety shall serve as chairperson of the council.

11109 (d) The council shall hold its first meeting not later than August 1,
11110 2004, and shall meet at least quarterly thereafter.

11111 (e) The chairperson of the council may request the participation of
11112 other representatives of federal, state, regional and local agencies as
11113 nonvoting members for purposes of consultation, planning and

11114 communication.

11115 (f) Any vacancy on the council shall be filled for the unexpired
11116 portion of the term by the appointing authority having the power to
11117 make the original appointment. Any vacancy occurring on the council
11118 shall be filled within thirty days.

11119 (g) The council shall submit a report to the General Assembly not
11120 later than January 1, 2005, and annually thereafter.

11121 Sec. 366. Section 28-1i of the general statutes is repealed and the
11122 following is substituted in lieu thereof (*Effective from passage*):

11123 Not later than January [1, 2006, and] first annually, [thereafter,] the
11124 Commissioner of [Emergency Management and Homeland Security]
11125 Public Safety shall submit a report to the joint standing committee of
11126 the General Assembly having cognizance of matters relating to public
11127 safety that specifies and evaluates state-wide emergency management
11128 and homeland security activities during the preceding calendar year.

11129 Sec. 367. Subsection (a) of section 28-1j of the general statutes is
11130 repealed and the following is substituted in lieu thereof (*Effective*
11131 *October 1, 2010*):

11132 (a) The Attorney General, in consultation with the Commissioner of
11133 [Emergency Management and Homeland Security] Public Safety, shall
11134 make written recommendations to the United States Coast Guard
11135 regarding the designation of a hazard zone in relation to a liquefied
11136 natural gas terminal located or proposed to be located on Long Island
11137 Sound that will impact Connecticut waters or land, and shall submit
11138 such recommendations to the Governor and the General Assembly in
11139 accordance with section 11-4a.

11140 Sec. 368. Subsection (a) of section 28-1k of the general statutes is
11141 repealed and the following is substituted in lieu thereof (*Effective*
11142 *October 1, 2010*):

11143 (a) The Attorney General, in consultation with the Commissioner of

11144 [Emergency Management and Homeland Security] Public Safety, shall
11145 make written recommendations to the federal government regarding
11146 the designation of a security zone in relation to a liquefied natural gas
11147 terminal located or proposed to be located on Long Island Sound that
11148 will impact Connecticut waters or land, and shall submit such
11149 recommendations to the Governor and the General Assembly in
11150 accordance with section 11-4a.

11151 Sec. 369. Subsection (b) of section 28-14a of the general statutes is
11152 repealed and the following is substituted in lieu thereof (*Effective*
11153 *October 1, 2010*):

11154 (b) The Department of [Emergency Management and Homeland
11155 Security] Public Safety shall compensate each volunteer with any
11156 volunteer organization that conducts a homeland security drill
11157 authorized by said department that exceeds twenty-four consecutive
11158 hours in length who participates in such drill and is otherwise
11159 employed, at the same rate as such volunteer is compensated in his or
11160 her employment in the public or private sector, provided the payment
11161 by said department shall be reduced by any amount of compensation
11162 such volunteer receives from his or her employer for such drill.

11163 Sec. 370. Section 28-22a of the general statutes is repealed and the
11164 following is substituted in lieu thereof (*Effective October 1, 2010*):

11165 Intrastate Mutual Aid Compact.

11166 Article I. Purposes

11167 This compact shall be known as the Intrastate Mutual Aid Compact
11168 and is made and entered into by and between the participating
11169 political subdivisions of this state. The purpose of this compact is to
11170 create a system of intrastate mutual aid between participating political
11171 subdivisions in the state. Each participant of this system recognizes
11172 that emergencies transcend political jurisdictional boundaries and that
11173 intergovernmental coordination is essential for the protection of lives
11174 and property and for best use of available assets. The system shall

11175 provide for mutual assistance among the participating political
11176 subdivisions in the prevention of, response to, and recovery from, any
11177 disaster that results in a declaration of a local civil preparedness
11178 emergency in a participating political subdivision, subject to that
11179 participating political subdivision's criteria for declaration. The system
11180 shall provide for mutual cooperation among the participating
11181 subdivisions in conducting disaster-related exercises, testing or
11182 training activities.

11183 Article II. General Provisions

11184 (1) For purposes of this compact: (A) "Participating political
11185 subdivision" means each political subdivision of the state whose
11186 legislative body has not adopted a resolution withdrawing from this
11187 compact in accordance with the provisions of this article; and (B) "chief
11188 executive officer" means the elected or appointed officer granted the
11189 authority to declare a local civil preparedness emergency by the
11190 charter or ordinance of his or her political subdivision.

11191 (2) On and after October 1, 2007, each political subdivision within
11192 the state shall automatically be a participating member of this compact.
11193 A participating political subdivision may withdraw from this compact
11194 by adopting a resolution indicating its intent to do so. The political
11195 subdivision shall automatically be deemed to have withdrawn from
11196 this compact upon adoption of such a resolution. The chief executive
11197 officer of such political subdivision shall submit a copy of such
11198 resolution to the Commissioner of [Emergency Management and
11199 Homeland Security] Public Safety not later than ten days after the
11200 adoption of the resolution. Nothing in this article shall preclude a
11201 participating political subdivision from entering into a supplementary
11202 mutual aid agreement with another political subdivision or affect any
11203 other inter-local municipal agreement, including any other mutual aid
11204 agreement, to which a political subdivision may be a party or become a
11205 party.

11206 (3) In the event of a serious disaster affecting any political

11207 subdivision of the state, the chief executive officer of that political
11208 subdivision may declare a local civil preparedness emergency. The
11209 chief executive officer of such political subdivision shall notify the
11210 Commissioner of [Emergency Management and Homeland Security]
11211 Public Safety of such declaration not later than twenty-four hours after
11212 such declaration. Such a declaration shall activate the emergency plan
11213 of operations of that political subdivision, as established under
11214 subsection (a) of section 28-7, and authorize the request or furnishing
11215 of aid and assistance, including any aid and assistance provided under
11216 the intrastate mutual aid system described in this section. No
11217 immunity, rights or privileges shall be provided for any individual
11218 who self-dispatches in response to a declaration, without authorization
11219 by such individual's participating political subdivision.

11220 Article III. Responsibilities
11221 of the Local and Joint Organizations
11222 of Participating Political Subdivisions

11223 The participating political subdivisions shall ensure that the duties
11224 of their local or joint organizations, as described in subsection (a) of
11225 section 28-7, include the following:

11226 (1) Identifying potential hazards that could affect the participating
11227 political subdivisions using an identification system common to all
11228 participating jurisdictions;

11229 (2) Conducting of joint planning, intelligence sharing and threat
11230 assessment development with contiguous participating political
11231 subdivisions, and conducting joint training at least biennially;

11232 (3) Identifying and inventorying the current services, equipment,
11233 supplies, personnel and other resources related to planning,
11234 prevention, mitigation, response and recovery activities of the
11235 participating political subdivisions; and

11236 (4) Adopting and implementing the standardized incident
11237 management system approved by the Department of [Emergency

11238 Management and Homeland Security] Public Safety.

11239 Article IV. Implementation

11240 Any request for assistance made by the chief executive officer of a
11241 participating political subdivision who has declared a local civil
11242 preparedness emergency shall be made to the chief executive officers
11243 of other participating political subdivisions or their designees.
11244 Requests may be oral or in writing, and shall be reported to the
11245 Commissioner of [Emergency Management and Homeland Security]
11246 Public Safety not later than twenty-four hours after the request. Oral
11247 requests shall be reduced to writing not later than forty-eight hours
11248 after the request.

11249 Article V. Conditions

11250 A participating political subdivision's obligation to provide
11251 assistance in the case of a declared local civil preparedness emergency
11252 is subject to the following conditions:

11253 (1) A participating political subdivision shall have declared a local
11254 civil preparedness emergency;

11255 (2) A responding participating political subdivision may withhold
11256 or recall resources to the extent it deems necessary to provide
11257 reasonable protection and services for its own jurisdiction;

11258 (3) Personnel of a responding participating political subdivision
11259 shall continue under the command and control of their responding
11260 jurisdiction, including emergency medical treatment protocols,
11261 standard operating procedures and other protocols, but shall be under
11262 the operational control of the appropriate officials within the incident
11263 management system of the participating political subdivision receiving
11264 assistance; and

11265 (4) Assets and equipment of a responding participating political
11266 subdivision shall continue under the control of the responding
11267 jurisdiction, but shall be under the operational control of the

11268 appropriate officials within the incident management system of the
11269 participating political subdivision receiving assistance.

11270 Article VI. Licenses, Certificates and Permits

11271 (1) If a person or entity holds a license, certificate or other permit
11272 issued by a participating political subdivision or the state evidencing
11273 qualification in a profession, mechanical skill or other skill, and the
11274 assistance of that person or entity is requested by a participating
11275 political subdivision, such person or entity shall be deemed to be
11276 licensed, certified or permitted in the political subdivision requesting
11277 assistance for the duration of the declared local civil preparedness
11278 emergency, subject to any limitations and conditions as may be
11279 prescribed by the chief executive officer of the participating political
11280 subdivisions, by executive order or otherwise; or by the person or
11281 entity's sponsor hospital.

11282 (2) The officers, members and employees of the responding political
11283 subdivision, including, but not limited to, public works personnel,
11284 firefighters, police or other assigned personnel rendering aid or
11285 assistance pursuant to the compact and this section shall have the same
11286 duties, rights, privileges and immunities as if they were performing
11287 their duties in the responding political subdivision.

11288 Article VII. Reimbursement

11289 (1) Participating political subdivisions shall maintain
11290 documentation of all assets provided. In the event of federal
11291 reimbursement to a requesting political subdivision, any political
11292 subdivision providing assistance under the compact and this section
11293 shall receive its appropriate share of said reimbursement.

11294 (2) A participating political subdivision may donate assets of any
11295 kind to a requesting participating political subdivision. Unless
11296 requested in writing, no reimbursement shall be sought by a
11297 responding political subdivision from a requesting political
11298 subdivision that has declared a local civil preparedness emergency.

11299 Any written request for reimbursement must be made not later than
11300 thirty calendar days after the response, except that notice of intent to
11301 seek reimbursement shall be given at the time the aid is rendered, or as
11302 soon as possible thereafter.

11303 (3) Any dispute between political subdivisions regarding
11304 reimbursement shall be resolved by the parties not later than thirty
11305 days after written notice of the dispute by the party asserting
11306 noncompliance. If the dispute is not resolved within ninety days of the
11307 notice of the claim, either party may request that the dispute be
11308 resolved through arbitration. Any such arbitration shall be conducted
11309 under the commercial arbitration rules of the American Arbitration
11310 Association.

11311 Article VIII. Liability

11312 For the purposes of liability, all persons from a responding political
11313 subdivision under the operational control of the requesting political
11314 subdivision are deemed to be employees of the responding political
11315 subdivision. Neither the participating political subdivisions nor their
11316 employees, except in cases of wilful misconduct, gross negligence or
11317 bad faith, shall be liable for the death of or injury to persons or for
11318 damage to property when complying or attempting to comply with the
11319 intrastate mutual aid system.

11320 Sec. 371. Subsection (b) of section 28-28a of the 2010 supplement to
11321 the general statutes is repealed and the following is substituted in lieu
11322 thereof (*Effective October 1, 2010*):

11323 (b) Each month, the provider of the enhanced 9-1-1 service database
11324 shall provide to the Office of State-Wide Emergency
11325 Telecommunications an electronic copy of the current subscriber
11326 information maintained in the enhanced 9-1-1 service database. The
11327 office shall make such subscriber information available to the
11328 Department of [Emergency Management and Homeland Security]
11329 Public Safety and to each public safety answering point pursuant to a
11330 memorandum of understanding consistent with the provisions of this

11331 section. Each public safety answering point that has entered into such
11332 a memorandum of understanding shall make such subscriber
11333 information available to one or more of the municipalities within the
11334 public safety answering point's jurisdiction at such a municipality's
11335 request.

11336 Sec. 372. Section 28-29a of the general statutes is repealed and the
11337 following is substituted in lieu thereof (*Effective October 1, 2010*):

11338 There is established an E 9-1-1 Commission to advise the office in
11339 the planning, design, implementation and coordination of the
11340 state-wide emergency 9-1-1 telephone system to be created pursuant to
11341 sections 28-25, 28-25a, 28-25b, 28-26, 28-27, 28-27a, 28-28, 28-28a,
11342 28-28b, 28-29 and 28-29b. The commission shall be appointed by the
11343 Governor on or before October 1, 1984, and shall consist of the
11344 following members: (1) One representative of the technical support
11345 services unit of the Division of State Police within the Department of
11346 Public Safety; (2) the State Fire Administrator; (3) one representative
11347 from the Office of Emergency Medical Services; (4) one representative
11348 from the Department of [Emergency Management and Homeland
11349 Security] Public Safety; (5) one municipal police chief; (6) one
11350 municipal fire chief; (7) one volunteer fireman; (8) one representative
11351 of the Connecticut Conference of Municipalities; (9) one representative
11352 of the Council of Small Towns; (10) one manager or coordinator of 9-1-
11353 1 public safety answering points serving areas of differing population
11354 concentration; and (11) one representative of providers of commercial
11355 mobile radio services, as defined in 47 Code of Federal Regulations
11356 20.3, as amended. Each member shall serve for a term of three years
11357 from July 1, 1984, or until a successor has been appointed and
11358 qualified. No member of the commission shall receive compensation
11359 for such member's services.

11360 Sec. 373. Section 28-31 of the 2010 supplement to the general statutes
11361 is repealed and the following is substituted in lieu thereof (*Effective*
11362 *October 1, 2010*):

11363 (a) The Department of Public Utility Control shall establish a
11364 nuclear safety emergency preparedness account, which shall be a
11365 separate, nonlapsing account within the General Fund, and which
11366 shall be financed through assessments of all Nuclear Regulatory
11367 Commission licensees that own or operate nuclear power generating
11368 facilities in the state. The department shall initially assess the licensees
11369 for a total of two million dollars. The department may assess licensees
11370 for such amounts as necessary for the purposes of the account,
11371 provided the balance in the account at the end of the fiscal year may
11372 not exceed three hundred thousand dollars. The department shall
11373 annually assess the licensees, upon the request of the Commissioner of
11374 [Emergency Management and Homeland Security] Public Safety, for
11375 funding to support annual expenses of five staff positions in the
11376 Department of Environmental Protection and three staff positions in
11377 the Department of [Emergency Management and Homeland Security]
11378 Public Safety. Personnel shall be assigned to said staff positions solely
11379 for the purposes of the program established pursuant to subsection (b)
11380 of this section. Federal reimbursements and grants obtained in support
11381 of the nuclear safety emergency preparedness program shall be paid
11382 into the General Fund and credited to the account. The department
11383 shall develop an equitable method of assessing the licensees for their
11384 reasonable pro rata share of such assessments. All such assessments
11385 shall be included as operating expenses of the licensees for purposes of
11386 rate-making. All moneys within the account shall be invested by the
11387 State Treasurer in accordance with established investment practices
11388 and all interest earned by such investments shall be returned to the
11389 account.

11390 (b) Moneys in the account shall be expended by the Commissioner
11391 of [Emergency Management and Homeland Security] Public Safety, in
11392 conjunction with the Commissioner of Environmental Protection, only
11393 to support the activities of a nuclear safety emergency preparedness
11394 program and only in accordance with the plan approved by the
11395 Secretary of the Office of Policy and Management under subsection (c)
11396 of this section. The program shall include, but not necessarily be

11397 limited to: (1) Development of a detailed fixed facility nuclear
11398 emergency response plan for areas surrounding each nuclear electrical
11399 generation facility and each away-from-reactor spent fuel storage
11400 facility, (2) annual training of state and local emergency response
11401 personnel, (3) development of accident scenarios and exercising of
11402 fixed facility nuclear emergency response plans, (4) provision of
11403 specialized response equipment necessary to accomplish this task, (5)
11404 support for the operations and personal services costs of the
11405 radiological instrument maintenance and calibration facility, as
11406 necessary to replace any reduction in current federal funding, and (6)
11407 any other measures as may be required by the Nuclear Regulatory
11408 Commission and the Federal Emergency Management Agency of the
11409 United States Department of Homeland Security. Moneys in the
11410 account shall be distributed as follows to carry out the purposes of the
11411 program: The Commissioner of [Emergency Management and
11412 Homeland Security] Public Safety may expend not more than
11413 twenty-five per cent of the proceeds of the maximum annual
11414 assessment for administrative functions incident to the program. The
11415 Commissioner of [Emergency Management and Homeland Security]
11416 Public Safety may expend such additional funds as are necessary to
11417 assure and maintain emergency operations center capabilities and
11418 specialized response equipment necessary to implement the fixed
11419 facility nuclear emergency response plans. The remaining moneys in
11420 the account may be allocated to other state agencies and used to
11421 reimburse municipalities for costs incurred in the purchase and
11422 maintenance of equipment and for services rendered in carrying out
11423 the purposes of the program.

11424 (c) Not later than May first, annually, the Commissioner of
11425 [Emergency Management and Homeland Security] Public Safety, in
11426 consultation with the Commissioner of Environmental Protection, shall
11427 submit to the Secretary of the Office of Policy and Management a plan
11428 for carrying out the purposes of the nuclear safety emergency
11429 preparedness program during the next state fiscal year. The plan shall
11430 include proposed itemized expenditures and measures for the

11431 program. The secretary shall review the plan and, not later than June
11432 first, annually, approve the plan if it conforms to the provisions of this
11433 section.

11434 (d) All moneys within the nuclear safety emergency preparedness
11435 account may be expended only in accordance with the provisions of
11436 this section.

11437 (e) Notwithstanding the provisions of subsection (a) of this section,
11438 the Department of Public Utility Control may allow an additional
11439 assessment of the licensees to supplement the initial assessment of
11440 such licensees if either the Nuclear Regulatory Commission or the
11441 Federal Emergency Management Agency of the United States
11442 Department of Homeland Security disapproves or informs, in writing,
11443 the Commissioner of [Emergency Management and Homeland
11444 Security] Public Safety that it is likely to disapprove the nuclear safety
11445 emergency preparedness plan and additional funds are or would be
11446 needed to conform the plan to acceptable standards.

11447 Sec. 374. Section 29-1p of the general statutes is repealed and the
11448 following is substituted in lieu thereof (*Effective October 1, 2010*):

11449 [(a)] The Commissioner of Public Safety may assess threats to public
11450 safety to determine when a threat qualifies as a genuine terrorist
11451 threat. The commissioner may consult with whatever agencies or
11452 officials the commissioner deems appropriate for such evaluation.

11453 [(b) When the Commissioner of Public Safety determines that there
11454 is a genuine terrorist threat, the commissioner shall immediately notify
11455 the Commissioner of Emergency Management and Homeland Security
11456 of such threat.]

11457 Sec. 375. Subsection (c) of section 54-142q of the 2010 supplement to
11458 the general statutes is repealed and the following is substituted in lieu
11459 thereof (*Effective October 1, 2010*):

11460 (c) The governing board shall be composed of the Chief Court

11461 Administrator, the Commissioner of Public Safety, [the Commissioner
11462 of Emergency Management and Homeland Security,] the Secretary of
11463 the Office of Policy and Management, the Commissioner of Correction,
11464 the chairperson of the Board of Pardons and Paroles, the Chief State's
11465 Attorney, the Chief Public Defender, the Chief Information Officer of
11466 the Department of Information Technology, the Victim Advocate, the
11467 Commissioner of Motor Vehicles, the chairpersons and ranking
11468 members of the joint standing committee of the General Assembly on
11469 judiciary and the president of the Connecticut Police Chiefs
11470 Association. The Chief Court Administrator and a person appointed
11471 by the Governor from among the membership shall serve as
11472 cochairpersons. Each member of the governing board may appoint a
11473 designee who shall have the same powers as such member.

11474 Sec. 376. Section 20-280 of the general statutes is repealed and the
11475 following is substituted in lieu thereof (*Effective July 1, 2010*):

11476 (a) There shall be a State Board of Accountancy which shall consist
11477 of nine members, to be appointed by the Governor, all of whom shall
11478 be residents of this state, five of whom shall hold current, valid
11479 licenses to practice public accountancy and four of whom shall be
11480 public members. Any persons serving on the board prior to October 1,
11481 1992, shall continue to serve until a successor is appointed. Whenever
11482 an appointment of a licensee to the state board is to be made, the
11483 Connecticut Society of Certified Public Accountants shall submit to the
11484 Governor the names of five persons qualified for membership on the
11485 board and the Governor shall appoint one of such persons to said
11486 board, subject to the provisions of section 4-10. The Governor shall
11487 select a chairperson pursuant to section 4-9a. The term of each member
11488 of the board shall be coterminous with that of the Governor. Vacancies
11489 occurring during a term shall be filled by appointment by the
11490 Governor for the unexpired portion of the term. Upon the expiration of
11491 a member's term of office, such member shall continue to serve until
11492 his successor has been appointed. Any member of the board whose
11493 license under section 20-281d is revoked or suspended shall
11494 automatically cease to be a member of the board. No person who has

11495 served two successive complete terms shall be eligible for
11496 reappointment to the board. Appointment to fill an unexpired term
11497 shall not be considered to be a complete term. Any member who,
11498 without just cause, fails to attend fifty per cent of all meetings held
11499 during any calendar year shall not be eligible for reappointment.

11500 (b) The board shall meet at such times and places as may be fixed by
11501 the board and shall meet at least once in every quarter of a calendar
11502 year. A majority of the board members then serving shall constitute a
11503 quorum at any meeting duly called. The board shall have a seal which
11504 shall be judicially noticed. The board shall maintain a registry of the
11505 names and addresses of all licensees and registrants under sections 20-
11506 279b to 20-281m, inclusive, and shall have responsibility for the
11507 administration and enforcement of said sections.

11508 (c) Each member of the board shall be reimbursed for his actual and
11509 necessary expenses incurred in the discharge of his official duties.

11510 (d) The board shall annually cause to be printed a directory which
11511 shall contain the names, arranged alphabetically, of all licensees and
11512 registrants under sections 20-279b to 20-281m, inclusive.

11513 (e) The board [, subject to the provisions of chapter 67, may employ
11514 an executive director and such other personnel as may be necessary to
11515 carry out the provisions of sections 20-279b to 20-281m, inclusive. The
11516 board may enter into such contractual agreements as may be necessary
11517 for the discharge of its duties, within the limit of its appropriated
11518 funds and in accordance with established procedures, as it deems
11519 necessary in its administration and enforcement of said sections. It
11520 may appoint committees or persons to advise or assist the board in
11521 such administration and enforcement as it may see fit] shall be within
11522 the Department of Consumer Protection. Said department shall
11523 provide staff support for the board.

11524 (f) The board shall have the power to take all action that is necessary
11525 and proper to effectuate the purposes of sections 20-279b to 20-281m,
11526 inclusive, including the power to issue subpoenas to compel the

11527 attendance of witnesses and the production of documents; to
11528 administer oaths; to take testimony and to receive evidence concerning
11529 all matters within its jurisdiction. In case of disobedience of a
11530 subpoena, the board may invoke the aid of any court of this state in
11531 requiring the attendance and testimony of witnesses and the
11532 production of documentary evidence. The board, its members, and its
11533 agents shall be immune from personal liability for actions taken in
11534 good faith in the discharge of the board's responsibilities, and the state
11535 shall indemnify and hold harmless the board, its members, and its
11536 agents from all costs, damages, and attorneys' fees arising from claims
11537 and suits against them with respect to matters to which such immunity
11538 applies.

11539 (g) The board may adopt rules, in accordance with chapter 54,
11540 governing its administration and enforcement of sections 20-279b to
11541 20-281m, inclusive, and the conduct of licensees and registrants,
11542 including, but not limited to:

11543 (1) Regulations governing the board's meetings and the conduct of
11544 its business;

11545 (2) Regulations concerning procedures governing the conduct of
11546 investigations and hearings by the board;

11547 (3) Regulations specifying the educational qualifications required
11548 for the issuance of certificates under section 20-281c, the experience
11549 required for initial issuance of certificates under section 20-281c and
11550 the continuing professional education required for renewal of licenses
11551 under subsection (e) of section 20-281d;

11552 (4) Regulations concerning professional conduct directed to
11553 controlling the quality and probity of the practice of public
11554 accountancy by licensees, and dealing among other things with
11555 independence, integrity, objectivity, competence, technical standards,
11556 responsibilities to the public and responsibilities to clients;

11557 (5) Regulations specifying actions and circumstances that shall be

11558 deemed to constitute holding oneself out as a licensee in connection
11559 with the practice of public accountancy;

11560 (6) Regulations governing the manner and circumstances of use by
11561 holders of certificates who do not also hold licenses under sections 20-
11562 279b to 20-281m, inclusive, of the titles "certified public accountant"
11563 and "CPA";

11564 (7) Regulations regarding quality reviews that may be required to
11565 be performed under the provisions of sections 20-279b to 20-281m,
11566 inclusive;

11567 (8) Regulations implementing the provisions of section 20-281l,
11568 including, but not limited to, specifying the terms of any disclosure
11569 required by subsection (d) of said section 20-281l, the manner in which
11570 such disclosure is made and any other requirements the board imposes
11571 with regard to such disclosure. Such regulations shall require that any
11572 disclosure: (A) Be in writing and signed by the recipient of the product
11573 or service; (B) be clear and conspicuous; (C) state the amount of the
11574 commission or the basis on which the commission will be calculated;
11575 (D) identify the source of the payment of the commission and the
11576 relationship between such source and the person receiving payment;
11577 and (E) be presented to the client at or prior to the time the
11578 recommendation of the product or service is made;

11579 (9) Regulations establishing the due date for any fee charged
11580 pursuant to sections 20-281c, 20-281d and 20-281e. Such regulations
11581 may establish the amount and due date of a late fee charged for the
11582 failure to remit payment of any fee charged pursuant to sections 20-
11583 281c, 20-281d and 20-281e; and

11584 (10) Such other regulations as the board may deem necessary or
11585 appropriate for implementing the provisions and the purposes of
11586 sections 20-279b to 20-281m, inclusive.

11587 Sec. 377. Subsection (a) of section 29-32b of the general statutes is
11588 repealed and the following is substituted in lieu thereof (*Effective July*

11589 1, 2010):

11590 (a) There shall be established a Board of Firearms Permit Examiners,
11591 within the Department of Public Safety, [for administrative purposes
11592 only,] hereinafter referred to as the board, to be comprised of seven
11593 members appointed by the Governor to serve during his term and
11594 until their successors are appointed and qualify. With the exception of
11595 public members, the members shall be appointed from nominees of the
11596 Commissioner of Public Safety, the Connecticut State Association of
11597 Chiefs of Police, the Commissioner of Environmental Protection, The
11598 Connecticut State Rifle and Revolver Association, Inc., and Ye
11599 Connecticut Gun Guild, Inc., and each of said organizations shall be
11600 entitled to representation on the board. At least one member of the
11601 board shall be a lawyer licensed to practice in this state, who shall act
11602 as chairman of the board during the hearing of appeals brought under
11603 this section.

11604 Sec. 378. Section 46a-13k of the general statutes is repealed and the
11605 following is substituted in lieu thereof (*Effective July 1, 2010*):

11606 [(a)] There is established [an Office of the] a Child Advocate within
11607 the Office of the Attorney General. The Governor, with the approval of
11608 the General Assembly, shall appoint a person with knowledge of the
11609 child welfare system and the legal system [to fill the Office of] as the
11610 Child Advocate. [Such person shall be qualified by training and
11611 experience to perform the duties of the office as set forth in section 46a-
11612 13l. The appointment shall be made from a list of at least three persons
11613 prepared and submitted by the advisory committee established
11614 pursuant to section 46a-13q. Upon any vacancy in the position of Child
11615 Advocate, the advisory committee shall meet to consider and
11616 interview successor candidates and shall submit to the Governor a list
11617 of no less than five and no more than seven of the most outstanding
11618 candidates, not later than sixty days after the occurrence of said
11619 vacancy. Such list shall rank the candidates in the order of committee
11620 preference. Upon receipt of the list of candidates from the advisory
11621 committee, the Governor shall designate a candidate for Child

11622 Advocate from among the choices within eight weeks of receipt of
11623 such list. If at any time any of the candidates withdraw from
11624 consideration prior to confirmation by the General Assembly, the
11625 designation shall be made from the remaining candidates on the list
11626 submitted to the Governor. If a candidate has not been designated by
11627 the Governor within the eight-week time period, the candidate ranked
11628 first shall receive the designation and be referred to the General
11629 Assembly for confirmation.] If the General Assembly is not in session,
11630 the designated candidate shall serve as acting Child Advocate and be
11631 entitled to the compensation, privileges and powers of the Child
11632 Advocate until the General Assembly meets to take action on said
11633 appointment. The person appointed Child Advocate shall serve for a
11634 term of [four] two years and may be reappointed or shall continue to
11635 hold office until such person's successor is appointed and qualified.
11636 [Upon any vacancy in the position of Child Advocate and until such
11637 time as a candidate has been confirmed by the General Assembly or, if
11638 the General Assembly is not in session, has been designated by the
11639 Governor, the Associate Child Advocate shall serve as the acting Child
11640 Advocate and be entitled to the compensation, privileges and powers
11641 of the Child Advocate.]

11642 [(b) The Office of the Child Advocate shall be in the Department of
11643 Administrative Services for administrative purposes only.

11644 (c) Notwithstanding any other provision of the general statutes, the
11645 Child Advocate shall act independently of any state department in the
11646 performance of his duties.

11647 (d) The Child Advocate may, within available funds, appoint such
11648 staff as may be deemed necessary provided, for the fiscal years ending
11649 June 30, 1996, and June 30, 1997, such staff shall not exceed one and
11650 one-half full-time positions or the equivalent thereof. The duties of the
11651 staff may include the duties and powers of the Child Advocate if
11652 performed under the direction of the Child Advocate.

11653 (e) The General Assembly shall annually appropriate such sums as

11654 necessary for the payment of the salaries of the staff and for the
11655 payment of office expenses and other actual expenses incurred by the
11656 Child Advocate in the performance of his duties. Any legal or court
11657 fees obtained by the state in actions brought by the Child Advocate
11658 shall be deposited in the General Fund.

11659 (f) The Child Advocate shall annually submit to the Governor and
11660 the General Assembly a detailed report analyzing the work of the
11661 Office of the Child Advocate.]

11662 Sec. 379. Section 46a-13l of the 2010 supplement to the general
11663 statutes is repealed and the following is substituted in lieu thereof
11664 (*Effective July 1, 2010*):

11665 (a) The Child Advocate [shall] may:

11666 (1) Evaluate the delivery of services to children by state agencies
11667 and those entities that provide services to children through funds
11668 provided by the state and recommend changes to policies, procedures
11669 and systems with a view toward the rights of children;

11670 [(2) Review periodically the procedures established by any state
11671 agency providing services to children to carry out the provisions of
11672 sections 46a-13k to 46a-13q, inclusive, with a view toward the rights of
11673 the children and recommend revisions to such procedures;]

11674 [(3)] (2) Review complaints of persons concerning the actions of any
11675 state or municipal agency providing services to children and of any
11676 entity that provides services to children through funds provided by the
11677 state, make appropriate referrals and investigate those where the Child
11678 Advocate determines that a child or family may be in need of
11679 assistance from the Child Advocate or that a systemic issue in the
11680 state's provision of services to children is raised by the complaint;

11681 [(4)] (3) Pursuant to an investigation, provide assistance to a child or
11682 family who the Child Advocate determines is in need of such
11683 assistance including, but not limited to, advocating with an agency,

- 11684 provider or others on behalf of the best interests of the child;
- 11685 [(5) Periodically review the facilities and procedures of any and all
11686 institutions or residences, public or private, where a juvenile has been
11687 placed by any agency or department;
- 11688 (6) Recommend changes in state policies concerning children
11689 including changes in the system of providing juvenile justice, child
11690 care, foster care and treatment;
- 11691 (7) Take all possible action including, but not limited to, conducting]
- 11692 (4) Conduct programs of public education, [undertaking] undertake
11693 legislative advocacy and [making] make proposals for systemic reform
11694 and formal legal action, in order to secure and ensure the legal, civil
11695 and special rights of children who reside in this state; and
- 11696 [(8)] (5) Provide training and technical assistance to attorneys
11697 representing children and guardians ad litem appointed by the
11698 Superior Court. [;]
- 11699 [(9) Periodically review the number of special needs children in any
11700 foster care or permanent care facility and recommend changes in the
11701 policies and procedures for the placement of such children;
- 11702 (10) Serve or designate a person to serve as a member of the child
11703 fatality review panel established in subsection (b) of this section; and
- 11704 (11) Take appropriate steps to advise the public of the services of the
11705 Office of the Child Advocate, the purpose of the office and procedures
11706 to contact the office.]
- 11707 (b) There is established a child fatality review panel composed of
11708 thirteen permanent members as follows: The Child Advocate, [or a
11709 designee;] the Commissioners of Children and Families, Public Health
11710 and Public Safety, or their designees; the Chief Medical Examiner, or a
11711 designee; the Chief State's Attorney, or a designee; a pediatrician,
11712 appointed by the Governor; a representative of law enforcement,

11713 appointed by the president pro tempore of the Senate; an attorney,
11714 appointed by the majority leader of the Senate; a social work
11715 professional, appointed by the minority leader of the Senate; a
11716 representative of a community service group appointed by the speaker
11717 of the House of Representatives; a psychologist, appointed by the
11718 majority leader of the House of Representatives; and an injury
11719 prevention representative, appointed by the minority leader of the
11720 House of Representatives. A majority of the panel may select not more
11721 than three additional temporary members with particular expertise or
11722 interest to serve on the panel. Such temporary members shall have the
11723 same duties and powers as the permanent members of the panel. The
11724 chairperson shall be elected from among the panel's permanent
11725 members. The panel shall, to the greatest extent possible, reflect the
11726 ethnic, cultural and geographic diversity of the state.

11727 (c) The child fatality review panel shall review the circumstances of
11728 the death of a child placed in out-of-home care or whose death was
11729 due to unexpected or unexplained causes to facilitate development of
11730 prevention strategies to address identified trends and patterns of risk
11731 and to improve coordination of services for children and families in
11732 the state. Members of the panel shall not be compensated for their
11733 services, but may be reimbursed for necessary expenses incurred in the
11734 performance of their duties.

11735 (d) On or before January 1, [2000] 2011, and annually thereafter, the
11736 child fatality review panel shall issue an annual report which shall
11737 include its findings and recommendations to the Governor and the
11738 General Assembly on its review of child fatalities for the preceding
11739 year.

11740 [(e) Upon request of two-thirds of the members of the panel and
11741 within available appropriations, the Governor, the General Assembly
11742 or at the Child Advocate's discretion, the Child Advocate shall conduct
11743 an in-depth investigation and review and issue a report with
11744 recommendations on the death or critical incident of a child. The
11745 report shall be submitted to the Governor, the General Assembly and

11746 the commissioner of any state agency cited in the report and shall be
11747 made available to the general public.

11748 (f) Any state agency cited in a report issued by the Office of the
11749 Child Advocate, pursuant to the Child Advocate's responsibilities
11750 under this section, shall submit a written response to the report and
11751 recommendations made in the report to the Governor and the General
11752 Assembly not later than ninety days after receipt of such report and
11753 recommendations. The General Assembly shall submit a copy of such
11754 response to the Office of the Child Advocate immediately upon
11755 receipt.]

11756 [(g)] (e) The Chief Medical Examiner shall provide timely notice to
11757 [the Child Advocate and to] the chairperson of the child fatality review
11758 panel of the death of any child that is to be investigated pursuant to
11759 section 19a-406.

11760 [(h)] (f) Any agency having responsibility for the custody or care of
11761 children shall provide timely notice to [the Child Advocate and] the
11762 chairperson of the child fatality review panel of the death of a child or
11763 a critical incident involving a child in its custody or care.

11764 Sec. 380. Section 46a-13n of the general statutes is repealed and the
11765 following is substituted in lieu thereof (*Effective July 1, 2010*):

11766 (a) The name, address and other personally identifiable information
11767 of a person who makes a complaint to the Child Advocate as provided
11768 in section 46a-13l, as amended by this act, all information obtained or
11769 generated by the office in the course of an investigation and all
11770 confidential records obtained by the Child Advocate or a designee
11771 shall be confidential and shall not be subject to disclosure under the
11772 Freedom of Information Act or otherwise, except that such information
11773 and records, other than confidential information concerning a pending
11774 law enforcement investigation or a pending prosecution, may be
11775 disclosed if the Child Advocate determines that disclosure is (1) in the
11776 general public interest, or (2) necessary to enable the Child Advocate
11777 to perform his responsibilities under subsection (a) of section 46a-13l,

11778 as amended by this act. If the Child Advocate determines that
11779 disclosure of confidential information is not in the public interest but is
11780 necessary to enable the Child Advocate to perform responsibilities
11781 under subsection (a) of section 46a-13l, as amended by this act, or to
11782 identify, prevent or treat the abuse or neglect of a child, the Child
11783 Advocate may disclose such information to the appropriate agency
11784 responsible for the welfare of such child.

11785 (b) No state or municipal agency shall discharge, or in any manner
11786 discriminate or retaliate against, any employee who in good faith
11787 makes a complaint to the Child Advocate or cooperates with [the
11788 Office of] the Child Advocate in an investigation.

11789 Sec. 381. Section 46a-13o of the general statutes is repealed and the
11790 following is substituted in lieu thereof (*Effective July 1, 2010*):

11791 (a) In addition to the powers set forth in section 46a-13m, and
11792 notwithstanding section 3-125, the Child Advocate, [or his designee,]
11793 may represent, appear, intervene in or bring an action on behalf of any
11794 child in any proceeding before any court, agency, board or commission
11795 in this state in which matters related to sections 46a-13k to 46a-13q,
11796 inclusive, as amended by this act, are in issue. Prior to the institution of
11797 any action brought pursuant to this subsection, the Child Advocate
11798 shall make a good faith effort to resolve issues or problems through
11799 mediation.

11800 (b) Any judgment for compensation or order for settlement of the
11801 claim for compensation entered by the court pursuant to the
11802 provisions of subsection (a) of this section shall be considered as the
11803 estate of the child for whose benefit the judgment or order is entered,
11804 to be held by [the Office of] the Child Advocate as guardian of such
11805 compensation, and shall be deposited into a trust account established
11806 by the office for the purposes of distributing such funds to such child
11807 in accordance with the plan adopted by the Family Division of the
11808 Superior Court.

11809 Sec. 382. Section 46a-13p of the general statutes is repealed and the

11810 following is substituted in lieu thereof (*Effective July 1, 2010*):

11811 The state of Connecticut shall protect and hold harmless [any
11812 attorney, director, investigator, social worker or other person
11813 employed by the Office of] the Child Advocate and any volunteer
11814 appointed by the Child Advocate from financial loss and expense,
11815 including legal fees and costs, if any, arising out of any claim, demand
11816 or suit for damages resulting from acts or omissions committed in the
11817 discharge of his duties with the program within the scope of his
11818 employment or appointment which may constitute negligence but
11819 which acts are not wanton, malicious or grossly negligent as
11820 determined by a court of competent jurisdiction.

11821 Sec. 383. Subsection (b) of section 17a-101 of the 2010 supplement to
11822 the general statutes is repealed and the following is substituted in lieu
11823 thereof (*Effective July 1, 2010*):

11824 (b) The following persons shall be mandated reporters: Any
11825 physician or surgeon licensed under the provisions of chapter 370, any
11826 resident physician or intern in any hospital in this state, whether or not
11827 so licensed, any registered nurse, licensed practical nurse, medical
11828 examiner, dentist, dental hygienist, psychologist, coach of intramural
11829 or interscholastic athletics, school superintendent, school teacher,
11830 school principal, school guidance counselor, school paraprofessional,
11831 school coach, social worker, police officer, juvenile or adult probation
11832 officer, juvenile or adult parole officer, member of the clergy,
11833 pharmacist, physical therapist, optometrist, chiropractor, podiatrist,
11834 mental health professional or physician assistant, any person who is a
11835 licensed or certified emergency medical services provider, any person
11836 who is a licensed or certified alcohol and drug counselor, any person
11837 who is a licensed marital and family therapist, any person who is a
11838 sexual assault counselor or a battered women's counselor as defined in
11839 section 52-146k, any person who is a licensed professional counselor,
11840 any person who is a licensed foster parent, any person paid to care for
11841 a child in any public or private facility, child day care center, group
11842 day care home or family day care home licensed by the state, any

11843 employee of the Department of Children and Families, any employee
11844 of the Department of Public Health who is responsible for the licensing
11845 of child day care centers, group day care homes, family day care
11846 homes or youth camps, and the Child Advocate, [and any employee of
11847 the Office of the Child Advocate.]

11848 Sec. 384. Section 46a-153 of the general statutes is repealed and the
11849 following is substituted in lieu thereof (*Effective July 1, 2010*):

11850 Each local or regional board of education, institution or facility that
11851 provides direct care, education or supervision of persons at risk shall
11852 (1) record each instance of the use of physical restraint or seclusion on
11853 a person at risk and the nature of the emergency that necessitated its
11854 use, and (2) include such information in an annual compilation on its
11855 use of such restraint and seclusion. The commissioner of the state
11856 agency that has jurisdiction or supervisory control over each
11857 institution or facility shall review the annual compilation prior to
11858 renewing a license for or a contract with such institution or facility.
11859 The State Board of Education may review the annual compilation of
11860 each local and regional board of education, institution and facility that
11861 provides special education for children and may produce an annual
11862 summary report identifying the frequency of use of physical restraint
11863 or seclusion on such children. If the use of such restraint or seclusion
11864 results in physical injury to the person, (A) the local or regional board
11865 of education, institution or facility that provides special education for a
11866 child may report the incident to the State Board of Education, and (B)
11867 the institution or facility shall report the incident to the commissioner
11868 of the state agency that has jurisdiction or supervisory control over the
11869 institution or facility. The State Board of Education and the
11870 commissioner receiving a report of such an incident shall report any
11871 incidence of serious injury or death to the director of the Office of
11872 Protection and Advocacy for Persons with Disabilities and, if
11873 appropriate, to the Child Advocate, [of the Office of Child Advocate.]

11874 Sec. 385. (*Effective October 1, 2010*) Connecticut Innovations,
11875 Incorporated, the Connecticut Development Authority, the

11876 Connecticut Housing Finance Authority and the Department of
11877 Economic and Community Development shall be consolidated into
11878 one agency. Such consolidation shall eliminate at least three executive
11879 level positions from the Department of Economic and Community
11880 Development and shall achieve savings by aligning functions and
11881 services.

11882 Sec. 386. (*Effective from passage*) Pursuant to section V of the
11883 agreement between the State of Connecticut and the State Employees
11884 Bargaining Agent Coalition (SEBAC) approved by the General
11885 Assembly on May 15, 2009, which requires the parties to negotiate
11886 additional savings in the event that projected revenue from all sources
11887 to the General Fund and Special Transportation Fund is three hundred
11888 million dollars or more below that in the final adopted budget and the
11889 Governor exercises any rescission authority, the state shall negotiate
11890 additional concessions totaling fifty million dollars or more that may
11891 include, but not be limited to, (1) additional furlough days, (2)
11892 elimination of longevity payments, (3) layoffs resulting from the
11893 consolidation, merger, closure or elimination of state agencies, offices,
11894 departments or programs, (4) increases in copayments for prescription
11895 drugs, office visits and hospitalizations, and (5) increased
11896 contributions for health insurance.

11897 Sec. 387. Sections 2-120 to 2-122, inclusive, subdivision (25) of
11898 subsection (a) of section 2c-2b, sections 9-750, 17a-317, 17b-420, 46a-1,
11899 46a-126 and 46a-127 of the general statutes are repealed. (*Effective July*
11900 *1, 2010*)

11901 Sec. 388. Sections 17a-26, 17a-31, 17a-33, 17a-92, 17a-128, 17a-146,
11902 17b-23, 19a-45a, 19a-255 and 19a-530 of the general statutes are
11903 repealed. (*Effective October 1, 2010*)

11904 Sec. 389. Section 17b-273 of the general statutes is repealed. (*Effective*
11905 *from passage*)

11906 Sec. 390. Section 81 of public act 09-3 of the June special session and
11907 section 77 of public act 09-5 of the September special session, section 49

11908 of public act 09-6 of the September special session and section 107 of
 11909 public act 09-7 of the September special session are repealed. (*Effective*
 11910 *from passage*)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	PA 09-3 of the June Sp. Sess., Sec. 25
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	PA 09-7 of the September Sp. Sess., Sec. 20
Sec. 11	<i>from passage</i>	17b-295(a)
Sec. 12	<i>from passage</i>	17b-197
Sec. 13	<i>from passage</i>	17b-266(d)
Sec. 14	<i>from passage</i>	17b-274d(f)
Sec. 15	<i>May 1, 2010</i>	New section
Sec. 16	<i>from passage</i>	17b-295(a)
Sec. 17	<i>from passage</i>	17b-311(c)
Sec. 18	<i>from passage</i>	New section
Sec. 19	<i>from passage</i>	17b-340(g)
Sec. 20	<i>from passage</i>	17b-239(g)
Sec. 21	<i>May 1, 2010</i>	New section
Sec. 22	<i>from passage</i>	New section
Sec. 23	<i>from passage</i>	New section
Sec. 24	<i>from passage</i>	19a-180(a)
Sec. 25	<i>from passage</i>	19a-175(11)
Sec. 26	<i>from passage</i>	17b-265d(c)
Sec. 27	<i>May 1, 2010</i>	New section
Sec. 28	<i>April 1, 2010</i>	17b-192(b)
Sec. 29	<i>from passage</i>	New section
Sec. 30	<i>from passage</i>	New section

Sec. 31	<i>from passage</i>	New section
Sec. 32	<i>from passage</i>	New section
Sec. 33	<i>from passage</i>	New section
Sec. 34	<i>from passage</i>	PA 09-3 of the June Sp. Sess., Sec. 126
Sec. 35	<i>from passage</i>	PA 09-3 of the June Sp. Sess., Sec. 74(l)
Sec. 36	<i>from passage</i>	PA 09-3 of the June Sp. Sess., Sec. 73
Sec. 37	<i>from passage</i>	5-142(a)
Sec. 38	<i>from passage</i>	31-310
Sec. 39	<i>from passage</i>	New section
Sec. 40	<i>from passage</i>	New section
Sec. 41	<i>from passage</i>	New section
Sec. 42	<i>from passage</i>	New section
Sec. 43	<i>May 1, 2010</i>	14-100a(c)
Sec. 44	<i>May 1, 2010</i>	14-37a(a)
Sec. 45	<i>May 1, 2010</i>	51-164m
Sec. 46	<i>May 1, 2010</i>	51-164n(g)
Sec. 47	<i>May 1, 2010</i>	14-13(b)
Sec. 48	<i>May 1, 2010</i>	14-17(b)
Sec. 49	<i>May 1, 2010</i>	14-26(c)
Sec. 50	<i>May 1, 2010</i>	14-36a(e)
Sec. 51	<i>May 1, 2010</i>	14-40a(e)
Sec. 52	<i>May 1, 2010</i>	14-81(b)
Sec. 53	<i>May 1, 2010</i>	14-145(c)
Sec. 54	<i>May 1, 2010</i>	14-164c(n)
Sec. 55	<i>May 1, 2010</i>	14-223(a)
Sec. 56	<i>May 1, 2010</i>	14-285
Sec. 57	<i>April 6, 2010, and applicable to all license and permit fees collected on or after said date</i>	26-27b
Sec. 58	<i>April 6, 2010, and applicable to all license and permit fees collected on or after said date</i>	26-28
Sec. 59	<i>April 6, 2010, and applicable to all license and permit fees collected on or after said date</i>	26-37

Sec. 60	<i>April 6, 2010, and applicable to all license and permit fees collected on or after said date</i>	26-39
Sec. 61	<i>April 6, 2010, and applicable to all license and permit fees collected on or after said date</i>	26-48a
Sec. 62	<i>April 6, 2010, and applicable to all license and permit fees collected on or after said date</i>	26-86a
Sec. 63	<i>April 6, 2010, and applicable to all license and permit fees collected on or after said date</i>	26-86c
Sec. 64	<i>April 6, 2010, and applicable to all license and permit fees collected on or after said date</i>	26-142a(c)
Sec. 65	<i>from passage</i>	13b-61c
Sec. 66	<i>from passage</i>	New section
Sec. 67	<i>from passage</i>	New section
Sec. 68	<i>from passage</i>	New section
Sec. 69	<i>from passage</i>	New section
Sec. 70	<i>from passage</i>	New section
Sec. 71	<i>from passage</i>	New section
Sec. 72	<i>from passage</i>	New section
Sec. 73	<i>from passage</i>	New section
Sec. 74	<i>from passage</i>	New section
Sec. 75	<i>from passage</i>	New section
Sec. 76	<i>from passage</i>	New section
Sec. 77	<i>from passage</i>	New section
Sec. 78	<i>from passage</i>	New section
Sec. 79	<i>from passage</i>	New section
Sec. 80	<i>October 1, 2010</i>	New section
Sec. 81	<i>October 1, 2010</i>	1-101aa(a)
Sec. 82	<i>October 1, 2010</i>	1-217
Sec. 83	<i>October 1, 2010</i>	4-5
Sec. 84	<i>October 1, 2010</i>	4-38c
Sec. 85	<i>October 1, 2010</i>	4-60i

Sec. 86	<i>October 1, 2010</i>	4-61aa
Sec. 87	<i>October 1, 2010</i>	4-61cc(a)
Sec. 88	<i>October 1, 2010</i>	4-66d
Sec. 89	<i>October 1, 2010</i>	4-67x(a)
Sec. 90	<i>October 1, 2010</i>	4a-16
Sec. 91	<i>October 1, 2010</i>	4-77a
Sec. 92	<i>October 1, 2010</i>	4a-12(d)
Sec. 93	<i>October 1, 2010</i>	4a-82(a)(1)
Sec. 94	<i>October 1, 2010</i>	8-3e
Sec. 95	<i>October 1, 2010</i>	8-206d
Sec. 96	<i>October 1, 2010</i>	10-16y
Sec. 97	<i>October 1, 2010</i>	10-16z(a)
Sec. 98	<i>October 1, 2010</i>	10-19(a)
Sec. 99	<i>October 1, 2010</i>	10-76d(e)
Sec. 100	<i>October 1, 2010</i>	10-76i(a)
Sec. 101	<i>October 1, 2010</i>	10-253(a)
Sec. 102	<i>October 1, 2010</i>	17a-4a(b)
Sec. 103	<i>October 1, 2010</i>	17a-22a
Sec. 104	<i>October 1, 2010</i>	17a-22b
Sec. 105	<i>October 1, 2010</i>	17a-22c(a)
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